The Zionist Protocols

A Generic Title

by

Scott A. Barry

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A New Generic Title
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List:
The Protocols of the Learned Elders of the Zion
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The Act of 1871 USA is a Corporation
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The Patriot Act of 2001
Miac Strategic Report
Kyle Odom Manifesto
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PSYCHIC DRIVING

D. EWEN CAMERON

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Abstract

1. Psychic driving is a potent procedure/p=m-/it invariably produces responses in the patient, and often intense responses.

2. The responses tend ultimately to be therapeutic.

3. To account for the effects of psychic driving the following working hypotheses have been set up:

a. *Penetration of shielding.*—Defenses of the individual against the full implications of his verbal communications are circumvented by using air conduction only, rather than the synthesis of air and tissue conduction to deal with which his defenses were organized.

b. *Driving.*/p=m-/Constant repetition of the verbal cue

locks the patient into continual response in terms of the community of action tendencies of which the cue is part.

c. *Talking and Listening.*—Working ideas concerning these and their bearing on the penetrating effect of driving have been set forth.

d. *Dynamic Implant.*—A given period of psychic driving may continue to produce additional effects after the period of actual driving has been terminated. To account for this, a premise has been advanced that a period of psychic driving may set up within the individual an area of intensified responsiveness, which calls him back repeatedly into activation of the area concerned.

4. Psychic driving lends itself to a great many modifications with respect to its application. These have been listed, and include autopsychic and heteropsychic driving, variations in the mechanical procedures and variations in the preparation of the patient for psychic driving. It is still too early to determine the various particular values of these; the material presented has been derived primarily from short-term autopsychic driving without adjuvants.

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The following material has been 'proven' to be a hoax;
however, its spirit appears to live on

The Protocols

of

The Learned Elders of Zion

Published by

"THE BRITONS,"
62, Oxford Street,
London, W.1.

Fifth Edition

(1921)

(This material was compiled from various sources in the United States public domain)

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Preface

THE EXHAUSTION of yet another edition of this work shows that there is no falling off in the public demand to be informed about the Protocols of Zion. It is becoming clearer every day that the policy of the Protocols is now being enforced on all nations, since, as Mr. Israel Zangwill boasts, their governments are all packed with Jews and their agents.

To Professor Sergyei Nilus the world is indebted for the publication of this terrible book. Thus it happens that whilst Russia has been made the victim of Jewry's undying hate, having been selected by the Elders of Zion to be made an example of Jewish vengeance, Russia has also sounded the tocsin which has aroused the world. To the courage, persistence and devotion of this true son of real Russia the world owes it that the Hidden Hand is now laid bare to its skin and claws. The chaos prevailing everywhere here finds its object and cause explained.

Let every reader of the Protocols study well the Introduction and the Epilogue, which are contributed by Nilus himself, and especially the Epilogue in connection with Protocol III, revealing the track of the Symbolic Serpent in its strangling coil round Europe. The poignancy of the writer's grief over the then impending fate of his beloved country, which he tried in vain to avert, cannot fail to cut every sympathetic reader to the heart.

And it must be borne in mind that Nilus first published the Protocols in 1902; that the edition from which our translation was made was published in 1905, and that the actual copy which was used in the translation is now in the British Museum, having stamped on it the date of its reception, 10th August, 1906. There is no getting over these dates, which prove that the World War, the crucifixion of Russia, strikes, revolutions and assassinations, have all taken place "according to plan." And that plan was not the plan of Germany, nor the plan of England, nor the plan of any other nation except the Nation of Jewry, with its secret language and secret government--The Hidden Hand--now, at length, completely revealed in the Protocols, which, it need hardly be said, were never intended for Gentile eyes to see.

Of course, Jews say the Protocols are a forgery. But the Great War was no forgery; the fate of Russia is no forgery; and these were predicted by the Learned Elders as long ago as 1901. The Great War was no German war--it was a Jew war. It was plotted by Jews, and was waged by Jewry on the Stock Exchanges of world. The generals and the admirals were all controlled by Jewry. The revelations of the Jutland Battle and its sequel give one small example of how the Jews conducted the war, whether by land or sea; how they secured the "profits" of the war for Jews, and how they obtained controlling power for Jewry over all the belligerents.

Reader! The publication of this work throws a great responsibility on You.

THE BRITONS
August, 1921
London

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Introduction

A MANUSCRIPT has been handed to me by a personal friend, now deceased, which with extraordinary precision and clearness describes the plan and development of a sinister world-wide conspiracy, having for its object that of bringing the unregenerate World to its inevitable dismemberment.

This document came into my possession some four years ago (1901), with the positive assurance that it is a true copy in translation, of original documents stolen by a woman from one of the most influential and most highly initiated leaders of Freemasonry (Orient Freemasonry). The theft was

accomplished at the close of a secret meeting of the "initiated" in France, that nest of "Jewish masonic conspiracy."

To those who would see and hear, I venture to reveal this manuscript under the title of "The Protocols of the Elders of Zion." On first scanning through these minutes, they might convey the impression of being what we usually call truisms, and appear to be more or less ordinary truths, though expressed with a pungency and a hatred which does not usually accompany ordinary truths. There seethes between the lines that arrogant and deep-rooted racial and religious hatred, which has been so long successfully concealed, and it bubbles over and flows, as it were, from an overfilled vessel of rage and revenge, fully conscious that its triumphant end is near.

We cannot omit to remark that its title does not altogether correspond to its contents. These are not exactly minutes of meetings, but a report made by some powerful person, divided into sections not always in a logical sequence. They convey the impression of being the part of something threatening and more important, the beginning of which is missing. The aforementioned origin of this document speaks for itself.

By the prophecies of the Holy Fathers, Anti-Christ's doings must always be a parody on Christ's life, and must have likewise their Judas. But, of course, from an earthly point of view, its Judas will not achieve his ends; thus, although of brief duration, a complete victory of the "world ruler" is assured. This reference to W. Soloviev's words is not intended to be used as a proof of their scientific authority. From an eschatological point of view, science is out of place, the important part is fate. Soloviev gives us the canvas, the embroidery will be worked by the proposed manuscript.

We might be justly reproached with the apocryphal nature of this document; but were it possible to prove this world-wide conspiracy by means of letters or by declarations of witnesses, and if its leaders could be unmasked holding its sanguinary threads, the "mysteries of iniquity," would by this very fact, be violated. To prove itself, it has to remain unmolested till the day of its incarnation in the "son of perdition."

In the present complications of criminal proceedings we cannot look for direct proofs, but we have to be satisfied with circumstantial evidence, and with such the mind of every indignant Christian observer is filled.

That which is written in this work ought to suffice for those "who have ears to hear" as being obvious and is offered them with the intention of urging them to protect themselves while there is yet time, and to be on their guard. Our conscience will be satisfied if by the grace of God we attain this most important aim of warning the Gentile world without exciting in its heart wrath against the blinded people of Israel. We trust that the Gentiles will not entertain feelings of hatred against the erroneously believing mass of Israel in its innocence of the Satanic sin of its leaders--the Scribes and Pharisees--who have already once proved themselves to be the destruction of Israel. Turning aside the wrath of God, there remains but one way--union of all Christians in Our Lord Jesus Christ and total extermination--repentance for ourselves and for others.

But is this possible in the present unregenerate condition of the world? It is impossible for the world, but still possible for believing Russia. The present political conditions of Western European states and of their affiliated countries in other continents were prophesied by the Prince of Apostles. Mankind in its aspiration to perfect its terrestrial life and in its search of a better realisation of the idea of power, which could secure everybody's well-being, and in its quest of a reign of universal satiety, which has become the highest ideal of human life, has changed the direction of its ideals by pronouncing the Christian faith as entirely discredited and not having justified the hopes bestowed on it. Overthrowing former idols, creating new ones, and raising new gods on to pedestals, the world erects for them temples, one more luxurious and more magnificent than the other, and again deposes and destroys them. Mankind has lost the very conception of the power granted by God to kings anointed, and is approaching the conditions of anarchy. Soon the swivel of the republican and constitutional scales will be worn through. The scales will collapse, and in their fall will carry away all the governments to the very abyss of raging anarchy.

The world's last rampart and last refuge from coming storm is Russia. Her true faith is still alive, the anointed Emperor still stands as her sure protector.

All the efforts of destruction on the part of the sinister and evident servants of the Anti-Christ, his conscious and unconscious workers, are concentrated on Russia. The reasons are understood, the objects are known, they must be known to believing and faithful Russia. The more threatening the coming historical moment is, the more frightening the approaching events concealed in the dense clouds are, the more courageously and with greater determination the brave and intrepid hearts of the Russians must beat. Bravely ought they to join hands round the sacred banner of their Church and round the throne their Emperor. So long as the soul lives, so long also the flaming heart beats in the bosom, there is no room for the deathly spectre of despair; but it is for us, and for our fidelity, to gain the Almighty's mercy and to delay the hour of Russia's fall.

Sergyei Nilus
1905

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PROTOCOL I

WE WILL BE PLAINSPOKEN and discuss the significance of each reflection, and by comparisons and deductions we will produce full explanations. By this means I will expose the conception of our policy and that of the Goys (i.e., Jewish definition of all Gentiles). It must be noted that people with corrupt instincts are more numerous than those of noble instinct. Therefore in governing the world the best results are obtained by means of violence and intimidation, and not by academic discussions. Every man aims at power; everyone would like to become a dictator if he only could do so, and rare indeed are the men who would not be disposed to sacrifice the welfare of others in order to attain their own personal aims.

What restrained the wild beasts of prey which we call men? What has ruled them up to now? In the first stages of social life they submitted to brute and blind force, then to law, which in reality is the same force, only masked. From this I am led to deduct that by the law of nature, right lies in might. Political freedom is not a fact, but an idea. This idea one must know how to apply when it is necessary, in order to use the same as a bait to attract the power of the populace to one's party, if such party has decided to usurp the power of a rival. The problem is simplified if the said rival becomes infected with ideas of freedom, so-called liberalism, and for the sake of this idea yields some of his power.

In this the triumph of our idea will become apparent. The relinquished reins of government by the law of life are immediately seized by a new hand, because the blind strength of the populace cannot exist for a single day without a leader, and the new government only fills the place of the old, which has been weakened by its liberalism.

Nowadays the power of gold has superseded liberal rulers. There was a time when religion ruled. The idea of freedom is not realisable, because no one knows how to use it with discretion.

It suffices to give the populace self-government for a short period for this populace to become a disorganised rabble. From that very moment dissensions start which soon develop into social battles; the States are set in flames and their total significance vanishes. Whether the state is exhausted by its own internal convulsions, or whether civil wars hand it over to an external foe, it can in any case be considered definitely and finally destroyed--it will be in our power. The despotism of capital, which is entirely in our hands, will hold out to it a straw, to which the state will be unavoidably compelled to cling; if it does not do so, it will inevitably fall into the abyss.

Of anybody who might, from motives of liberalism, be inclined to remark that discussions of this kind are immoral, I would ask the question, why is it not immoral for a state which has two enemies, one external and one internal, to use different means of defence against the former to that which it would use against the latter, to make secret plans of defence, to attack him by night or with superior forces?

Why should it then be immoral for the state to use these means against that which ruins the foundations and welfare of its life?

Can a sound and logical mind hope successfully to govern mobs by using arguments and reasoning, when there is a possibility of such arguments and reasonings being contradicted by other arguments, although these may possibly be ridiculous, but are made to appear more attractive to that portion of the populace which cannot think very deeply, guided as it is entirely by petty passions, habits, and conventions, and by sentimental theories? The uninitiated and ignorant populace, together with those who have risen from among them, get entangled in party dissensions which hinder all possibility of agreement even on a basis of sound arguments. Every decision of the masses is dependent on a chance or prearranged majority which, in its ignorance of political mysteries, passes absurd resolutions, thus sowing the germs of anarchy in the government.

Politics have nothing in common with morals. A ruler governed by morals is not a skilled politician, hence he is not firm on his throne. He who wants to rule must have recourse to cunningness and hypocrisy. The great human qualities of sincerity and honesty become vices in politics. They dethrone with more certainty than the bitterest enemy. These qualities have to be the attributes of the Gentile countries, but we are not in the least forced to be guided by them. Our right lies in might. The word "right" is an abstract idea established by nothing. This word signifies no more than "give me what I want in order to enable me to prove thereby that I am stronger than you are."

Where does "right" begin? Where does it end? In a state where power is badly organised, where the laws and the personality of the ruler are rendered inefficacious by the continual encroaching of liberalism, I take up a new line of attack, making use of the right of might to destroy the existing rules and regulations, seize the laws, reorganise all the institutions, and thus become the dictator of those who, of their own free will, liberally renounced their power and conferred it on us. Our strength under the present shaky condition of the civil powers will be stronger than any other, because it will be invisible till the moment when it becomes so strong that no cunning designs will undermine it.

From the temporary evil, to which we are now obliged to have recourse, will emerge the benefit of an unshakeable rule, which will reinstate the course of the mechanism of natural existence, which has been destroyed by liberalism. The end justifies the means. In making our plans we must pay attention not so much to what good and moral, as to what is necessary and profitable.

We have in front of us a plan in which a strategic line is shown. From that line we cannot deviate unless we are going to destroy the work of centuries. To work out a suitable scheme of action one must bear in mind the meanness, instability, and want of ballast on the part of the crowd, its incapability to understand and respect the conditions of its own existence and of its own welfare. One must understand that the might of the crowd is blind and void of reason in discrimination, and that it lends its ear right and left. If the blind lead the blind, they will both fall together into the ditch. Consequently those members of the crowd who are upstarts from the people, even were they geniuses, cannot come forward as leaders of the mass without ruining the nation. Only a person brought up to autocratic sovereignty can read the words formed by political letters. The people abandoned to itself, i.e., to upstarts from the masses, is ruined by party dissensions which arise from

Is it possible for the mass to discriminate quietly, and without jealousies to administer the affairs of state, which they must not confuse with their personal interests? Can they be a defence against a foreign foe? This is impossible, as a plan broken up into as many parts as there are minds in the mass loses its value, and therefore becomes unintelligible and unworkable. Alone an autocrat can conceive vast plans clearly assigning its proper part to everything in the mechanism of the machine of state. Hence we conclude that it is expedient for the welfare of the country that the government of the same should be in the hands of one responsible person. Without absolute despotism civilisation cannot exist, for civilisation is capable of being promoted only under the protection of the ruler, whoever he may be, and not at the hands of the masses.

The crowd is a barbarian, and acts as such on every occasion. As soon as the mob has secured freedom it speedily turns it into anarchy, which in itself is the height of barbarism.

Just look at these alcoholised animals stupefied by the drink, of which unlimited use is tolerated by freedom! Should we allow ourselves and our fellow creatures to do likewise? The people of the Christians, bewildered by alcohol, their youths turned crazy by classics and early debauchery, to which they have been instigated by our agents, tutors, servants, governesses in rich houses, clerks, and so forth, by our women in places of their amusement to the latter I add the so-called "society women"--their voluntary followers in corruption and luxury. Our motto must be "All means of force and hypocrisy."

Only sheer force is victorious in politics, especially if it is concealed in the talent indispensable for statesmen. Violence must the principle, cunning and hypocrisy must be the rule of those Governments which do not wish to lay down their crown at the feet of the agents of some new power. This evil is the only means of attaining the goal of good. Therefore, we must not stop short before bribery, deceit and treachery, if these are to serve achievement of our cause.

In politics we must know how to confiscate property without any hesitation, if by so doing we can attain subjection and power. Our State, following the way of peaceful conquest, has the right of substituting for the terrors of war executions, less apparent and more expedient, which are necessary to uphold terror, producing blind submission. Just and implacable severity is the chief factor in State power. Not only for the sake of advantage, but also for that of duty and victory, we must keep to the programme of violence and hypocrisy. Our principles are as powerful as the means by which we put them into execution. That is why not only by these very means, but by the severity of our doctrines, we shall triumph and shall enslave all Governments under our super-Government. It suffices that it should be known that we are implacable in preventing recalcitrance. Even of old we were the first to cry out to the people "Liberty, equality, and fraternity." Words so often repeated since that time by ignorant parrots flocking together from far and wide round these signposts; by repeating them they deprived the world of its prosperity and the individual of his real personal freedom, which formerly had been so well guarded from being choked by the mob.

The would-be wise and intelligent Gentiles did not discern how abstract were the words which they were uttering, and did not notice how little these words agreed with one another and even contradicted each other.

They did not see that in Nature there is no equality and that she herself created different and unequal standards of mind, character and capacity. It is likewise with the subjection to Nature's laws. These wiseacres did not divine that the mob is a blind power, and that the upstarts elected from its midst as rulers are likewise blind in politics; that a man intended to be a ruler, although a fool, can govern, but that a man who has not been so intended, although he might be a genius, would understand nothing of politics. All this was left out of sight by the Gentiles. At the same time, it was on this basis that dynastic rule was founded. The father used to instruct the son in the meaning and in the course of political evolutions in such a manner that no one except the members of the dynasty should have knowledge of it, and that none could disclose the secrets to the governed people. In time, the meaning of true political teachings as transmitted in dynasties from one generation to another was lost, and this loss contributed to the success of our cause. Our call of "Liberty, equality, and fraternity", brought whole legions to our ranks from all four corners of the world through our unconscious agents, and these legions carried our banners with ecstacy. In the meantime these words were eating, like so many worms, into the well being of the Christians and were destroying their peace, steadfastness and unity, thus ruining the foundations of the States. As we shall see later on, it was this action which brought about our triumph. It gave us the possibility among other things of playing the ace of trumps---namely, the abolition of privileges; in other words, the existence of the Gentile aristocracy, which was the only protection nations and countries had against ourselves. On the ruins of natural and hereditary aristocracy we built an aristocracy of our own on a plutocratic basis. We established this new aristocracy on wealth, of which we had control, and on science promoted by scholars. Our triumph was rendered easier by the fact that we, through our connections with people who were indispensable to us, always worked upon the most susceptible part of the human mind, namely, by playing on our victims' weakness for profits, on their greed, on their insatiability, and on the material requirements of man; for each one of the said weaknesses, taken by itself, is capable of destroying initiative, thus handing over the will-power of the people to the mercy of those who would deprive them of all their power of initiative. The abstractness of the word " freedom " made it possible to convince the mob that the government is nothing else than a manager, representing the owner, that is to say, the nation, and

can be discarded like a worn-out pair of gloves. The fact that the representatives of the nation can be deposed delivered these representatives into our power and practically put their appointment into our hands.

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PROTOCOL II

It is indispensible for our purpose that wars should not produce any territorial alterations. Thus, without territorial modifications, war would be transferred on to an economical footing. Then nations will recognise our superiority in the assistance which we shall render, and this state of affairs will put both sides at the mercy of our international million-eyed agents, who are possessed of absolutely unlimited means. Then our international rights will sweep away the laws of the world and will rule countries in the same manner as individual governments rule their subjects.

We will select administrators from among the public, who will be possessed of servile tendencies. They will not be experienced in the art of government and therefore will be easily turned into pawns in our game in the hands of our learned and wise counsellors, who have been especially trained from early childhood for governing the world. As is already known to you, these men have studied the science of governing from our political plans, from experience of history and from observation of passing events. The Gentiles do not profit by continuous historical observations, but follow theoretical routine without contemplating what the results of the same may be. Therefore we need not take the Gentiles into consideration. Let them enjoy themselves until the time comes, or let them live in hopes of new amusements or on the reminiscences of passed joys. Let them think that these laws of theory, with which we have inspired them, are of supreme importance to them. With this object in view, and with the help of our press, we continually increase their blind faith in these laws. The educated classes of the Gentiles will pride themselves in their learning and, without verifying it, they will put into practice the knowledge obtained from science which was dished up to them by our agents with the object of educating their minds in the direction which we required.

Do not imagine that our assertions are empty words. Note here the success of Darwin, Marx and Nietzsche pre-arranged by us. The demoralising effect of the tendencies of these sciences on the Gentile mind should certainly be obvious to us.

In order to refrain from making mistakes in our policy and administrative work, it is essential for us to

The triumph of our theory is its adaptability to the temperament of the nations with which we come contact. It cannot be successful if its practical application is not based on the experience of the past in conjunction with observations of the present. The press in the hands of existing governments is a great power, by which the control of peoples' minds is obtained. The press demonstrates the vital claims of the populace, advertises complaints and sometimes creates discontent among the mob. The realisation of free speech is born in the press. But governments did not know how to make proper use of this power, and it fell into our hands. Through the press we achieved influence, although we ourselves kept in the background. Thanks to the press we accumulated gold, though it cost us streams of blood: it cost us the sacrifice of many of our people, but every sacrifice on our side is worth thousands of Gentiles before God.

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PROTOCOL III

Today I can assure you that we are only within a few strides of our goal. There remains only a short distance and the cycle of the Symbolic Serpent--that badge of our people--will be complete. When this circle is locked, all the States of Europe will be enclosed in it, as it were, by unbreakable chains.

The existing constructional scales will soon collapse because we are continually throwing them out of balance in order the more quickly to wear them out and destroy their efficiency.

The Gentiles thought that the scales had been made sufficiently strong and expected them to balance accurately. But the supporters of the scales--that is to say, the heads of States--are hampered by their servants who are of no avail to them, drawn away as they are by this unlimited power of intrigue which is theirs, thanks to the terrors prevailing in the palaces.

As the sovereign has no means of access to the hearts of his people, he cannot defend himself against the power-loving intriguers. As the watchful power has been separated by us from the blind power of the populace, both have lost their significance, because once parted they are as helpless as a blind man without a stick. In order to induce lovers of power to make a bad use of their rights, we set all powers one against the other by encouraging their liberal tendencies towards independence. We encouraged every undertaking in this direction; we placed formidable weapons in the hands of all parties and made power the goal of every ambition. Out of governments we made arenas on which party wars are fought out. Soon open disorder and bankruptcy will appear everywhere. Insuppressable babblers transformed parliamentary and administrative meetings into debating meetings. Audacious journalists and impudent pamphleteers are continually attacking the administrative powers. Abuse of power will definitely prepare the crash of all institutions and everything will fall prostrate under the blows of the raging populace. The people are enslaved in the sweat of their brows in poverty after a manner more formidable than the laws of serfdom. From the latter they could free themselves by some means or another, whereas nothing will liberate them from the tyranny of absolute want. We took care to insert rights in constitutions which for the masses are purely fictitious. All the so-called "rights of the people" can only exist in ideas which are not applicable in practice. How does it avail a workman of the proletariat, who is bent double by work and oppressed by his fate, if a chatterer gets the right to speak or a journalist the right to publish any kind of rubbish? What good is a constitution to the proletariat if they get no other advantage from it except the crumbs which we throw them from our table in return for their votes to elect our agents? Republican rights are an irony for the pauper, for the necessity of every day's labour keeps him from gaining any advantage by such rights and it only takes away the guarantee of continuous fixed wages, making him dependent on employers, strikes and comrades. Under our auspices the populace exterminated the aristocracy which had supported and guarded the people for its own benefit, which benefit is inseparable from the welfare of the populace. Nowadays, having destroyed the privileges of the aristocracy, the people fall under the yoke of cunning profiteers and upstarts.

We intend to appear as though we were the liberators of the labouring man, come to free him from this oppression, when we shall suggest to him to join the ranks of our armies of Socialists, Anarchists and Communists. The latter we always patronise, pretending to help them out of fraternal principle and the general interest of humanity evoked by our socialistic masonry. The aristocracy, who by right shared the labour of the working classes, were interested in the same being well-fed, healthy and strong. We are interested in the opposite, *i.e.*, in the degeneration of the Gentiles. Our strength lies in keeping the working man in perpetual want and impotence; because, by so doing, we retain him subject to our will and, in his own surroundings, he will never find either power or energy to stand up against us. Hunger will confer upon Capital more powerful rights over the labourer than ever the lawful power of the sovereign could confer upon the aristocracy.

We govern the masses by making use of feelings of jealousy and hatred kindled by oppression and need. And by means of these feelings we brush aside those who impede us in our course.

When the time comes for our Worldly Ruler to be crowned, we will see to it that by the same means--that is to say, by making use of the mob--we will destroy everything that may prove to be an obstacle in our way.

The Gentiles are no longer capable of thinking without our aid in matters of science. That is why they do not realise the vital necessity of certain things; which we will make a point of keeping against the moment when our hour arrives--namely, that in schools the only true and the most important of all sciences must be taught, that is, the science of the life of man and social conditions, both of which require a division of labour and therefore the classification of people in castes and classes. It is imperative that every one should know that true equality cannot exist owing to the different nature of various kinds of work, and those who act in a manner detrimental to a whole caste have a different responsibility before the law to those who commit a crime only affecting their personal honour.

The true science of social conditions, to the secrets of which we do not admit the Gentiles, would convince the world that occupations and labour should be kept in specified castes so as not to cause human suffering, arising from an education which does not correspond with the work which individuals are called upon to do. If they were to study this science, the people would of their own free will submit to the ruling powers and to the castes of government classified by them. Under the present conditions of science and the line which we have allowed it follow, the populace, in its ignorance, blindly believes in printed words and in erroneous illusions which have been duly inspired by us, and it bears malice to all classes it thinks higher than itself. For it does not understand the importance of each caste. This hatred will become still more acute where economical crises are concerned, for then it will stop the markets and production. We will create a universal economical crisis, by all possible underhand means and with the help of gold, which is all in our hands. Simultaneously we will throw on to the streets huge crowds of workmen throughout Europe. These masses will then gladly throw themselves upon and shed the blood of those of whom, in their ignorance, they have been jealous from childhood, and whose belongings they will then be able to plunder.

They will not harm us, because the moment of the attack will be known to us and we will take measures protect our interests.

We persuaded the Gentiles that liberalism would bring them to a kingdom of reason. Our despotism will be of this nature, for it will be in a position to put down all rebellions and by just severity to exterminate every liberal idea from all institutions.

When the populace noticed that it was being given all sorts of rights in the name of liberty, it imagined itself to be the master, and tried to assume power. Of course, like every other blind man, the mass came up against innumerable obstacles. Then, as it did not wish to return to the former regime, it lay its power at our feet. Remember the French Revolution, which we call the "Great," the secrets of its preparatory organisation are well known to us, being the work of our hands. From that time onwards we have led nations from one disappointment to another, so that they should even renounce us in favour of the King-Despot of the blood of Zion, whom we are preparing for the world. At present we, as an international force, are invulnerable, because, whilst we are attacked by one Gentile government, we are upheld by others. In their intense meanness the Christian peoples help our independence--when kneeling they crouch before power; when they are pitiless towards the weak; merciless in dealing with faults and lenient to crimes ; when they refuse to recognise the contradictions of freedom; when they are patient to the degree of martyrdom in bearing with the violence of an audacious despotism.

At the hands of their present dictators, premiers and ministers, they endure abuses, for the smallest of which they would have murdered twenty kings. How is this state of affairs to be explained? Why are the masses so illogical in their conception of events? The reason is, that despots persuade the people through their agents, that, although they may misuse their power and do injury to the state, this injury is done with a high purpose, *i.e.*, in order to attain prosperity for the populace, for the sake of international fraternity, unity and equality.

Certainly they do not tell them that such unification can only be obtained under our rule. So we see the populace condemning the innocent, and acquitting the guilty, convinced that it can always do what it pleases. Owing to this state of mind the mob destroys all solidity and creates disorder at every turn and corner. The word "liberty" brings society into conflict with all the powers, even with that of Nature and of God. That is why, when we come into power, we must strike the word "liberty" out of the human dictionary, as being the symbol of beastial power, which turns the populace into blood-thirsty animals. But we must bear in mind that these animals fall asleep as soon as they are satiated with blood, and at that moment it is easy to enchant and enslave them. If they are not given blood, they will not sleep, but will fight with one another.

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PROTOCOL IV

Every republic passes through various stages. The first stage is the first days raging of the blind, sweeping and destroying right and left. The second, the reign of the demagogue, bringing forth anarchy and entailing despotism. This despotism is not officially legal, and, therefore, irresponsible; it is concealed and invisible, but, all the same, lets itself be felt. It is generally controlled by some secret organisation, which acts behind the back of some agent, and will, therefore, be the more unscrupulous and daring. This secret power will not mind changing its agents who mask it. The changes will even help the organisation, which will thus be able to rid itself of old servants, to whom it would have been necessary to pay larger bonuses for long service. Who or what can dethrone an invisible power? Now this is just what our government is. The masonic lodge throughout the world unconsciously acts as a mask for our purpose. But the use that we are going to make of this power in our plan of action, and even our headquarters, remain perpetually unknown to the world at large.

Liberty could be harmless and exist in governments and countries without being detrimental to the welfare of the people, if it were based on religion and fear of God, on human fraternity, free from ideas of equality, which are in direct contradiction to the laws of creation, and which have ordained submission.

Governed by such a faith as this, the people would be ruled under the guardianship of their parishes, and would exist quietly and humbly under the guidance of the spiritual pastor, and submit to God's disposition on earth. That is why we must extract the very conception of God from the minds of the Christians and replace it by arithmetical calculations and material needs. In order to divert the minds of the Christians from our policy, it is essential that we should keep them occupied with trade and commerce. Thus all nations will be striving for their own profits, and in this universal struggle will not notice their common enemy. But, so that liberty should entirely dislocate and ruin the social life of the Gentiles, we must put commerce on a speculative basis. The result of this will be, that the riches of the land extracted by production will not remain in the hands of the Gentiles, but will pass through speculation into our coffers.

The struggle for superiority and continuous speculations in the business world will create a demoralised, selfish and heartless society. This society will become completely indifferent and even disgusted by religion and politics. Lust of gold will be their only guide. And this society will strive after this gold, making a veritable cult of the materialistic pleasures with which it can keep them supplied. Then the lower classes will join us against our competitors--the privileged Gentiles--with no pretence a noble motive, or even for the sake of riches, but out pure hatred towards the upper classes.

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PROTOCOL V

What kind of government can one give to societies in which bribery and corruption have penetrated everywhere, where riches can only be obtained by cunning surprises and fraudulent means, in which dissensions continuously prevail; where morality must be supported by punishment and strict laws, and not by, voluntary accepted principles, in which patriotic and religious feelings are merged in cosmopolitan convictions?

What form of government can be given to these societies other than the despotic form, which I describe to you?

We will organise a strong centralised government, so as to gain social powers for ourselves. By new laws we will regulate the political life of our subjects, as though they were so many parts of a machine. Such laws will gradually restrict all freedom and liberties allowed by the Gentiles. Thus our reign will develop into such a mighty despotism, that it will be able at any time or place to squash discontented or recalcitrant Gentiles.

We shall be told that the kind of despotism which I suggest will not suit the actual progress of civilisation, but I will prove to you that the contrary is the case. In the days when the people looked on their sovereigns as on the will of God, they quietly submitted to the despotism of their monarchs. But from the day that we inspired the populace with the idea of its own rights, they began to regard kings

as ordinary mortals. In the eye of the mob the holy anointment fell from the head of monarchs, and, when we took away their religion, the power was thrown into the streets like public property, and was snatched up by us. Moreover, among our administrative gifts, we count also that of ruling the masses and individuals by means of cunningly constructed theories and phraseology, by rules of life and every other kind of device. All these theories, which the Gentiles do not at all understand, are based on analysis and observation, combined with so skilful a reasoning as cannot be equalled by our rivals, any more than these can compete with us in the construction of plans for political actions and solidarity. The only society known to us which would be capable of competing with us in these arts, might be that of the Jesuits. But we have managed to discredit these in the eyes of the stupid mob as being a palpable organisation, whereas we ourselves have kept in the background, reserving our organisation as a secret.

Moreover, what difference will it make to the world who is to become its master, whether the head of the Catholic Church, or a despot of the blood of Zion?

But to us, "the Chosen People," the matter cannot be indifferent. For a time the Gentiles might perhaps be able to deal with us. But oh this account we need fear no danger, as we are safeguarded by the deep roots of their hatred for one another, which cannot be extracted.

We set at variance with one another all personal and national interests of the Gentiles, by promulgating religious and tribal prejudices among them, for nearly twenty centuries. To all this, the fact is due that not one single government will find support from its neighbours when it calls upon them for it, in opposing us, because each one of them will think that action against us might be disastrous for its individual existence. We are too powerful--the world has to reckon with us. Governments cannot make even a small treaty without our being secretly involved in it. *Per me reges regunt*--let kings reign through me. We read in the Law of Prophets that we have been chosen by God to rule the earth. God gave us genius, in order that we should be capable of performing this work. Were there a genius in the enemy's camp he might yet fight us, but a newcomer would be no match for old hands like ourselves, and the struggle between us would be of such a desperate nature as the world has never yet seen. It is already too for their genius. All the wheels of state-mechanism are set in motion by a power, which is in our hands, that to say--gold.

The science of political economy, thought out by our learned scientists, has already proved that the power of capital is greater than the prestige of the Crown.

Capital, in order to have a free field, must obtain absolute monopoly of trade and commerce. This is already being achieved by an invisible hand in all parts of world. Such a freedom will give political power to traders, who, by profiteering, will oppress the populace.

Nowadays it is more important to disarm the people than to lead them to war. It is more important to use burning passions for our cause, than to extinguish them; to encourage the ideas of others and use them for our own purpose, than to dissipate them. The main problem for our government is: how to weaken the brain of the public by criticism, how to make it lose its power of reasoning, which creates opposition, and how to distract the public mind by senseless phraseology.

At all times nations, as well as individuals, have taken words for deeds, as they are contented with what they hear, and seldom notice whether the promise has been actually fulfilled. Therefore, simply for the purpose of show, we will organise institutions, members of which, by eloquent speeches, will prove and praise their contributions to "progress."

We will assume a liberal appearance for all parties and for all tendencies, and will provide all our orators with one. These orators will be so loquacious, that they will weary the people with speeches to such a degree, that the people will have more than enough of oratory of any kind.

In order to secure public opinion, this must first be made utterly confused by the expression from all sides of all manner of contradictory opinions, until the Gentiles become lost in their labyrinth. Then they will understand that the best course to take is to have no opinion on political matters--matters

which are not intended to be understood by the public, but which should only be reserved to the directors of affairs. This is the first secret.

The second secret, necessary for our successful governing, consists in multiplying to such an extent the faults, habits, passions, and conventional laws of the country, that nobody will be able to think clearly in the chaos--therefore men will cease to understand one another.

This policy will also help us to sow dissensions amongst all parties, to dissolve all collective powers, and to discourage all individual initiative, which might in any way hinder our schemes.

There is nothing more dangerous than personal initiative: if there are brains at the back of it, it may do more harm to us than the millions of people whom we have set at one another's throats.

We must direct the education of Christian societies in such a way, that in all cases where initiative is required for an enterprise, their hands should drop in hopeless despair. Tension, brought about by freedom of action, loses force when it encounters the freedom of others. Hence come--moral shocks, disappointments and failures. By all these means we will so oppress the Christians that they will be forced to ask us to govern them internationally. When we attain such a position we shall be able, straightway, to absorb all powers of governing throughout the whole world, and to form a universal Super-government. In the place of existing governments we will place a monster, which will be called the Administration of the Supergovernment. Its hands will be outstretched like far-reaching pinchers, and it will have such an organisation at its disposal, that it will not possibly be able to fail in subduing all countries.

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PROTOCOL VI

Soon we will start organising great monopolies--reservoirs of colossal wealth, in which even the large fortunes of the Gentiles will be involved to such an extent that they will sink together with the credit of their government the day after political crisis takes place. (It being evidently intended that the Jews should withdraw their money at the last moment.)

Those among you who are present here today, and are economists, just calculate the importance of this scheme!

We must use every possible kind of means to develop the popularity of our Supergovernment, holding it up as a protection and recompenser of all who willingly submit to us.

The aristocracy of the Gentiles, as a political power, is no more,--therefore we need not consider it any more from that point of view. But as landowners they are still dangerous to us, because their independent existence is ensured through their resources. Therefore it is essential for us, at all costs, to deprive the aristocracy of their lands. To attain this purpose the best method is to force up rates and taxes. These methods will keep the landed interests at their lowest possible ebb. The aristocrats of the Gentiles, who, by the tastes which they have inherited, are incapable of being contented with a little, will soon be ruined.

At the same time we must give all possible protection to trade and commerce, and especially to speculation, the principal role of which is to act as a counterpoise to industry.

Without speculation industry will enlarge private capitals and will tend to raise agriculture by freeing the land from debt and mortgages, advanced by agricultural banks. It is essential that industry should drain the land of all its riches, and speculation should deliver all the world's wealth thus procured into our hands. By this means all the Gentiles would be thrown into the ranks of the proletariat. Then the Gentiles will bow down before us, in order to obtain the right to exist.

In order to ruin the industry of the Gentiles and to help speculation, we will encourage the love for boundless luxury, which we have already developed. We will increase the wages, which will not help the workmen, as at the same time we will raise the price of prime necessities, taking as a pretext the bad results of agriculture. We will also artfully undermine the basis of production by sowing seeds of anarchy amongst the workmen, and encouraging them in the drinking of spirits. At the same time we will use all possible means to drive all the Gentile intelligence from the land. In order that the true position of affairs should not be prematurely realised by the Gentiles, we will conceal it by an apparent desire to help the working classes in solving great economical problems, the propaganda of which our economical theories are assisting in every possible way.

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PROTOCOL VII

Intensified military service and the increase of police force are essential to complete the above plans. It is essential for us to arrange that, besides ourselves, there should be in all countries nothing but a huge proletariat, so many soldiers and police loyal our cause.

In the whole of Europe, and with the help of Europe, we must promote on other continents sedition, dissensions and mutual hostility. In this there is a twofold advantage: firstly by these means we command the respect of all countries, who well know that we have the power to create upheavals at will, or else to restore order. All countries are used to look to us for the necessary pressure, when such is required. Secondly, by intrigues we shall entangle all the threads spun by us in the ministries of all governments not only by our politics, but by trade conventions and financial obligations.

In order to obtain these ends we must have recourse to much slyness and artfulness during negotiations and agreements, but in what is called "official language" we shall assume the opposite tactics of appearing honest and amenable. Thus the governments of the Gentiles, which we taught to look only on the showy side of affairs, as we present these to them, will even look upon us as benefactors and saviours of humanity.

We must be in a position to meet every opposition with a declaration of war on the part of the neighbouring country of that state which dares to stand in our way; but if such neighbours in their turn were to decide to unite in opposing us, we must respond by creating a universal war.

The main success in politics consists in the degree of secrecy employed in pursuing it. The action of a diplomat must not correspond with his words. To help our world-wide plan, which is nearing its desired end, we must influence the governments of the Gentiles by so-called public opinions, in reality prearranged by us by means of that greatest of all powers--the press, which, with a few insignificant exceptions not worth taking into account, is entirely in our hands.

Briefly, in order to demonstrate our enslavement of the Gentile governments in Europe, we will show *our power to one of them by means of crimes of violence*, that is to say by a *reign of terror* (note the present state of Russia, circa 1921); and in case they all rise against us we will respond with American, Chinese or Japanese guns.

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PROTOCOL VIII

We must secure all instruments which our enemies might turn against us. We shall have recourse to the most intricate and complicated expressions of the dictionary of law in order to acquit ourselves in case we are forced to give decisions, which may seem overbold and unjust. For it will be important to express such decisions in so forcible a manner, that they should seem to the populace to be of the highest moral, equitable and just nature. Our government must be surrounded by all the powers of civilisation among which it will have to act. It will draw to itself publicists, lawyers, practitioners, administrators, diplomats, and finally people prepared in our special advanced schools. These people will know the secrets of social life; they will master all languages put together by political letters and

words; they will be well acquainted with the inner side of human nature, with all its more sensitive strings, on which they will have to play. These strings form the construction of the Gentile brain, their good and bad qualities, their tendencies and vices, the peculiarity of castes and classes. Of course these wise counsellors of our might to whom I allude will not be selected from amongst the Gentiles, who are used to carry on their administrative work without bearing in mind the results which they have to achieve, and without knowing for what purpose these results are required. The administrators of the Gentiles sign papers without reading them, and serve for love of money or ambition.

We will surround our government by a whole host of economists. That is the reason why science of economy is the principal subject taught to the Jews. We be surrounded by thousands of bankers, traders, and, what is still more important, by millionaires, because in reality everything will be decided by money. Meanwhile, as long as it is not yet safe to fill government posts with our brother Jews, we will entrust these important posts to people whose record and characters are so bad as to form a gulf between the nation and themselves, and to such people who, in case they disobey our orders, may expect judgment and imprisonment. And all this is with the object that they should defend our interests until the last breath has passed out of their bodies.

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PROTOCOL IX

Applying our principles, pay special attention to the character of the particular nation, by which you are surrounded and amongst which you have to work. You must not expect to be successful in applying our principles all round until the nation in question has been re-educated by our doctrines; but by proceeding carefully in the application of our principles you will discover that, before ten years have elapsed, the most stubborn character will have changed and we shall have added yet another nation to the ranks of those who have already submitted to us.

For the liberal words of our masonic motto, "freedom, equality, and fraternity," we will substitute not the words of motto, but words expressing simply an idea, and we will say "the right of freedom, the duty of equality, and the idea of fraternity," and we shall have the bull by the horns. As a matter of fact we have already destroyed all ruling powers except our own,. but in theory, they still exist. At the present time, if any governments make themselves objectionable to us, it is only a formality, and undertaken with our full knowledge and consent, as we need their anti-Semitic outbursts in order to enable us to keep our small brothers in order. I will not enlarge upon this point, for it has already formed the subject of many discussions.

As a matter of fact we are encountered by no opposition. Our government is in so exceedingly strong a position in the sight of the law that we may almost describe it by the powerful expression of dictatorship. I can honestly say that at the present time we are legislators, we sit in judgment and inflict punishments, we execute and pardon, we are, as it were, the commander-in-chief of all armies, riding at their head. We rule by mighty force, because in our hands remain the fragments of a once powerfull party, now under our subjection. We possess boundless ambitions, *devouring greed, merciless revenge and intense hatred.* We are the source of a far-reaching terror. We employ in our service people of all opinions and all parties: men desiring to reestablish monarchies, socialists, communists, and supporters of all kinds of utopias. We have put them all into harness; each one of them in his own way undermines the remnant of power and tries to destroy all existing laws. By this procedure all governments are tormented, they yell for rest and, for the sake of peace, are prepared to make any sacrifice. But will not give them any peace until they humbly recognize our international super-government.

The populace clamoured for the necessity of solving the social problem by international means. Dissensions among parties handed these over to us, because in order to conduct an opposition money is essential, and money is under our control.

We have feared the alliance of the experienced Gentile sovereign power with that of the blind power of the mob, but all measures to prevent the possibility of such an occurrence have been taken by us. Between these two powers we have erected a wall in the form of the terror which they entertain for

one another. Thus the blind power of the populace remains a support on our side. We alone will be its leaders, and will guide it towards the attainment of our object. In order that the hand of the blind should not free itself from our grip, we must be in constant contact with the masses if not personally, at any rate through our most faithful brothers. When we become a recognised power we will personally address populace in the market places, and will instruct it in political matters in whatever direction may suit our convenience.

How are we to verify what the people are taught in country schools? But it is certain that what is said by the envoy of the government, or by the sovereign himself, cannot fail to be known to the whole nation, as it is soon spread by the voice of the people.

In order not to destroy the institutions of the Gentiles prematurely, we reached them with our experienced hand and secured the ends of the springs in their mechanism. The latter formerly were in severe but just order; for them we have substituted disorderly liberal management. We have had a hand in jurisdiction, electioneering, in the management of the press, in furthering the liberty of the individual, and, what is still more important, in education. which constitutes the main support of free existence.

We have befooled and corrupted the rising generation, of the Gentiles by educating them in principles and theories known to us to be thoroughly false, but which we ourselves have inculcated. Without actually amending the laws already in force, but by simply distorting them and by placing interpretations upon them which were not intended by those who framed them, we have obtained an extraordinarily useful result.

These results became at first apparent by the fact that our interpretation concealed the real meaning of the laws, and subsequently rendered them so unintelligible that it was impossible for the government to disentangle such a confused code of laws.

Hence the theory arose of not adhering to the letter of the law, but of judging by conscience. It is contended that nations can rise in arms against us if our plans are discovered prematurely; but in anticipation of this we can rely upon throwing into action such a formidable force as will make even the bravest of men shudder. By then metropolitan railways and underground passages will be constructed in all cities. From these subterranean places we will explode all the cities of the world, together with their institutions and documents. (Probably figurative, referring to such means as Bolshevism.)

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PROTOCOL X

Today I will begin by repeating what has been previously mentioned, and I beg all of you to bear in mind that in politics, governments and nations are satisfied by the showy side of everything; yes, and how should they have time to examine the inner side of things when their representatives only think of amusements?

It is most important for our politics to bear in mind the above-mentioned detail, as it will be of great help to us, when discussing such questions as the distribution of power, freedom of speech, freedom for the press and religion, rights of forming associations, equality in the sight of the law, inviolability of property and domicile, the question of taxation (idea of secret taxation) and the retrospective force of laws. All similar questions are of such a nature that it is not advisable to openly discuss them in front of the populace. But in cases where it is imperative that these should be mentioned to the mob they must not be enumerated but, without going into detail, statements should be made concerning the principles of modern right as recognised by us. The importance of reticence lies in the fact that a principle which has not been openly declared leaves us freedom of action, whereas such a principle, once declared, becomes as good as established.

The nation holds the power of a political genius in special respect and endures all its high-handed actions, and thus regards them: "What a dirty trick, but how skilfully executed!" "What a swindle, but how well and with what courage it has been done!"

We count on attracting all nations to work on the construction of the foundations of the new edifice which has been planned by us. For this reason it is necessary for us to acquire the services of bold and daring agents, who will be able to overcome all obstacles in the way of our progress.

When we accomplish our *coup d'état*, we will say to the people: "Everything has been going very badly; all of you have suffered; now we are destroying the cause of your sufferings, that is to say, nationalities, frontiers and national currencies. Certainly you will be free to condemn us, but can your judgment be fair if you pronounce it before you have had experience of what we can do for your good?"

Then they will carry us shoulder high in triumph, in hope and in exultation. Power of voting, in which we trained the most insignificant members of mankind by organising meetings and prearranged agreements, will then play its last part; this power, by the means of which we have "enthroned ourselves," will discharge its last debt to us in its anxiety to see the outcome of our proposition before pronouncing its judgment.

In order to obtain an absolute majority we must induce everybody to vote, without discriminating between classes. Such a majority would not be obtained from educated classes or from a society divided into castes.

Having then inspired every man's mind with the idea of his own self-importance, we will destroy the family life of the Gentiles and its educational importance; we will prevent men with clever brains from coming to the front, and such men the populace, under our guidance, will keep subdued and will not permit them even to state their plans.

The mob is used to listen to us, who pay it for its attention and obedience. By these means we shall create such a blind force that it will never be capable of taking any decision without the guidance of our agents, placed by us for the purpose of leading them.

The mob will submit to this system, because it will know that from these leaders will depend its wages, earnings, and all other benefits. The system of government must be the work of one head, because it will be impossible to consolidate it, if it is the combined work of numerous minds. That is why we are only allowed to know the plan of action, but must by no means discuss it in order not to destroy its efficacy, the functions of its separate parts and the practical meaning of each point. If such plans were to be discussed and altered by repeated submissions at the polls, they would be distorted by results of all mental misunderstandings: which arise owing to the voters not having fathomed the depth of their meanings. Therefore, it is necessary that our plans should be decisive and logically thought out. That is the reason why we must not throw the great work of our leader to be torn to pieces by the mob, or even by a small clique. For the present these plans will not upset existing institutions. They will only alter their theory of economy, and therefore all their course of procedures, which will then inevitably follow the way prescribed by our plans. In all countries there exist the same institutions only different names: the houses of representatives of people, the ministries, the senate, a privy council of sorts, legislative and administrative departments.

I need not explain to you the connecting mechanism of these different institutions, as it is already well known to you. Only note that each of the above-mentioned institutions corresponds to some important function of the government. (I use the word "important" not with reference to the institutions, but with reference to their functions.)

All these institutions have divided among themselves all functions of government, that is to say, administrative, legislative, and executive powers. And their functions have become similar to those of the divers separate organs of the human body.

If we injure any part of the government machinery, the state will fall sick as a human body and will die. When we injected the poison of liberalism into the organism of the state its political complexion changed; the states became infected with a mortal illness, that is, decomposition of the blood. There remains only to await the end of their agonies. Liberalism gave birth to constitutional governments, which took the place of autocracy--the only wholesome form of government for the Gentiles. Constitution, as you know for yourselves, is nothing more than a school for dissensions, disagreements, quarrels, and useless party agitations; in brief, it is the school of everything that weakens the efficiency of the government. The tribune, as well as the Press, has tended to make the rulers inactive and weak, thus rendering them useless and superfluous, and for this reason they were deposed in many countries.

Then the institution of a republican era became possible; and then, in the place of the sovereign, we put a caricature of the same in the person of a president, whom we chose from the mob from among our creatures and our slaves.

Thus we laid the mine which we have placed under Gentiles, or rather under the Gentile nations. In the near future we will make the president a responsible person.

Then we will have no scruples in boldly applying the plans, for which our own "dummy" will be responsible. What does it matter to us if the ranks of place-hunters become weak, if confusions arise from the fact that a president cannot be found--confusions which will definitely disorganize the country?

In order to achieve these results, we will prearrange for the election of such presidents, whose past record is marked with some "Panama" scandal or other shaddy hidden transaction. A president of such a kind will be a faithful executor of our plans, as he will fear denouncement, and will be under the influence of the fear which always possesses a man who has attainted power and anxious to retain the privileges and honours associated with his high office. The House of Representatives will elect, protect, and screen the president; but we will deprive this House of its power of introducing and altering laws.

This power we will give to the responsible president, who will be a mere puppet in our hands. In that case the power of the president will become a target exposed to various attacks, but we will give him means of defense in his right of appeal to the people above the heads of the representatives of the nation, that is to say, direct the people, who are our blind slaves--the majority of the mob.

Moreover, we will empower the president to proclaim martial law. We will explain this prerogative by fact that the president, being head of the army, must have the same under his command for the protection of the new republican constitution, which protection is his duty as its responsible representative.

Of course, under such conditions, the key of the inner position will be in our hands, and none other than ourselves will control legislation.

Moreover, when we introduce the new republican constitution, we will, under pretext of state secrecy, deprive the house of its right of questioning the desirability of measures taken by the Government. By this new constitution we will also reduce the number of the representatives of the nation to a minimum, thus also reducing an equivalent number of political passions, and passion for politics. If, in spite of this, they should become recalcitrant, we will abolish the remaining representatives by appealing to the nation. It will be the President's prerogative to appoint the chairman and vice-chairman of the house of representatives and of the senate. In place of continuous, sessions of parliaments we will institute sessions of a few months' duration. Moreover, the president, as head of the executive power, will have the right to convene or dissolve parliament and, in case of dissolution, to defer the convocation of a new parliament. But, in order that the president should not be held responsible for the consequences of these, strictly speaking, illegal acts, before our plans have matured, we will persuade the Ministers and other high administrative officials, who surround the president, to circumvent his orders by issuing instructions of their own and thus compel them to bear the responsibility instead of the President. This function we would especially recommend to be allotted to

the senate, to the council of state, or to the cabinet, but not to individuals. Under our guidance the President will interpret laws, which might be understood in ways.

Moreover he will annul laws in cases when we consider this to be desirable. He will also have the right to propose new temporary laws and even modifications in the constitutional work of the government, using as a motive for so doing the exigencies of the welfare of country.

Such measures will enable us to gradually withdraw any rights and indulgences that we may have been forced to grant when we first assumed power. Such indulgences we will have to introduce in the constitution of governments in order to conceal the gradual abolition of all constitutional rights, when the time comes to change all existing governments for our autocracy. The recognition of our autocrat may possibly be realised before the abolition of constitutions, namely, the recognition of our rule will start from the very moment when the people, torn by dissensions and smarting under the insolvency of rulers (which will have been pre-arranged by us), will yell out: "Depose them, and give us one world-ruler, could unify us and destroy all causes of dissension, namely, frontiers, nationalities, religions, state debts, etc. . . . a ruler who could give us peace and rest, which we cannot find under the government of our sovereigns and representatives."

But you know full well for yourselves that, in order that the multitude should yell for such a request, it is imperative in all countries to continually disturb the relationship which exists between people and governments--hostilities, wars, hatred, and even martyrdom, with hunger and need, and with the inoculation of diseases, to such an extent, that the Gentiles should not see any exit from their troubles other than an appeal for the protection of our money and for our complete sovereignty.

But if we give the nation time to take breath, another such opportunity would be hardly likely to recur.

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PROTOCOL XI

The council of state will accentuate the power of the ruler. In its capacity as an official legislative body it will be, as it were, a committee for issuing the rulers' commands.

Here then is a programme of the new constitution, which we are preparing for the world. We will make laws, define constitutional rights, and administer such by means of (1) edicts of the legislative chamber, suggested by the president; (2) by means of general orders and orders of the senate and state council, and by means of decisions of the cabinet; and (3) when the opportune moment presents itself, by the means of a *coup d'état*.

Thus, having roughly determined our plan of action, we will discuss such details as may be necessary for us to accomplish the revolution in the sets of wheels of the state mechanism in the direction which I have already, indicated. By these details I mean freedom of the press, the rights of forming societies, freedom of religion, election of representatives of the people, and many other rights, which will have to vanish from the daily life of man. If they do not altogether vanish, they will have to be fundamentally changed the day after the announcement of the new constitution. It would only be at this particular moment that it would be quite safe for us to announce all our changes, and for the following reason: all perceptible changes at any other time might prove dangerous, because, if they were forcibly introduced and strictly and indiscriminately enforced, they might exasperate the people, as these would fear fresh changes in similar directions. On the other hand, if the changes were to entail yet more indulgences, people would say that we recognize our mistakes and that might detract from the glory of infallibility of the new power. They might also say that we had been frightened and were forced to yield. And were this the case, the world would never thank us, as they regard it as a right always to have concessions made to them. If either of these impressions were made on the mind of the public, it would be extremely dangerous for the prestige of the new constitution.

It is essential for us that, from the first moment of its proclamation, whilst the people will be still suffering from the effects of the sudden change and will be in a state of terror and indecision, that they should realise that we are so powerful, so invulnerable, and so full of might, that we shall in no case

take their interests into consideration. We shall want them to understand that we will not only ignore their opinion and wishes, but will be ready at any moment or place to suppress with a strong hand any expression or hint of opposition. We shall want the people to understand that we have taken everything we wanted and that we will not, under any circumstances, allow them to share our power. Then they will close their eyes to everything out of fear and will patiently await further developments.

The Gentiles are like a flock of sheep--we are the wolves. And do you not know what the sheep do when wolves penetrate in to the sheepfold? They close their eyes to everything. To this they will be also driven because we will promise to return to them all their liberties after subduing the world's enemies and after bringing all parties into subjection. I need hardly tell you how long they would have to wait for the return of their liberties.

For what reason were we induced to invent our policy and to instill the same into the Gentiles? We instilled this policy into them without letting them understand its inner meaning. What prompted us to adopt such a line of action, if it was not because we could not, as a scattered race, attain our object by direct means, but only by circumvention? This was the real cause and origin of our organisation of masonry, which those swine of Gentiles do not fathom, and the aims of which they do not even suspect. They are decoyed by us into our mass of lodges, which appear to be nothing more than masonic in order to throw dust in the eyes of their comrades.

By the mercy of God His chosen people were scattered, and in this dispersal, which seemed to the world to be our weakness, has proved to be all our power, which has now brought us to the threshold of universal sovereignty.

We have not much more to build on these foundations in order to attain our aims.

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PROTOCOL XII

The word liberty, which can be interpreted in divers ways, we will define thus: "Liberty is the right of doing what is permitted by law." Such a definition of this word will be useful to us in this way, that it will rest with us to say where there shall be liberty and where there may not, and for the simple reason that law will permit only what is desirable to us.

With the Press we will deal in the following manner: What is the part played by the Press at the present time? It serves to rouse in the people furious passions or sometimes egoistic party disputes, which may be necessary for our purpose. It is often empty, unjust, false, and most people do not in the least understand its exact purposes. We will harness it and will guide it with firm reins, we will also have to gain control of all other publishing firms. It would be of no use for us to control the newspaper press, if we were still to remain exposed to the attacks of pamphlets and books. We will turn the, at present, expensive production of publication into a profitable resource to our government by introducing a special stamp duty, and by forcing publishers and typographers to pay us a deposit, in order to guarantee our government from any assaults on the part of the press. In case of an attack, we will impose fines right and left. Such measures as stamps, deposits, and fines will be a large source of income to the government. Certainly party papers would mind paying heavy fines, but, after a second serious attack on us, we would suppress them altogether. No one will be able with impunity to touch the prestige of our political infallibility. For closing down publications we will the following pretext: The publication, which is suppressed excites, we will say, public opinion without any ground or foundation. But I would ask you to bear in mind that amongst the aggressive publications will be those which have been instituted by us for this purpose. But they will only attack such points in our policy as we intend changing. No piece of information will society without passing through our control. This we are attaining even at the present time by the fact that all news is received by a few agencies, in which it is centralized from all parts of the world. When we attain power these agencies will belong to us entirely and will only publish such news as we choose to allow.

If under the present conditions we have managed to gain control of the Gentile society to such an extent that it surveys the world's affairs through the coloured glasses which we put over its eyes; if

even now there exists no impediment to hinder our access to state secrets, as they are called by the stupidity of the Gentiles, what will be our position, when we shall be officially recognized as rulers of the world, in the person of our world-governing Emperor?

Let us return to the future of the press. Anybody desiring to become an editor, librarian, or printer, will be compelled to obtain a certificate and licence, which, in case of disobedience, would be withdrawn. The canals, through which human thought finds its expression, will by these means be delivered into the hands of our government, which will use the same as an educational organ, and will thus prevent the public from being drawn astray by idealising "progress" and liberalism. Who of us does not know that this fantastic blessing is a straight road to utopia, from which have sprung anarchy and hatred towards authority? This is for the simple reason that "progress," or rather the idea of liberal progress, gave the people different ideas of emancipation, without setting any limit to it. All so-called liberals are anarchists, if not in their action, certainly by ideas. Each one of them runs after the phantom of liberty, thinking that he can do whatever he wishes, that is to say, falling into a state of anarchy in the opposition which he offers for the mere sake of opposition.

Let us now discuss the press. We will tax it in the same manner as the newspaper press--that is to say, by means of excise stamps and deposits. But on books of less than 300 pages we will place a tax twice as heavy. These short books we will classify as pamphlets in order to diminish the publication of periodicals, which constitute the most virulent form of printed poison. These measures will also compel writers to publish such long works that they will be little read by the public, and chiefly so on account of their high price. We ourselves will publish cheap works in order to educate and set the mind of the public in the direction that we desire. Taxation will bring about a reduction in the writing of aimless leisure literature, and the fact that they are responsible before the law will place authors in our hands. No one desirous of attacking us with his pen would find a publisher.

Before printing any kind of work, the publisher or printer will have to apply to the authorities for a permit to publish the said work. Thus we shall know beforehand of any conspiracy against us, and we shall be able knock it on the head by anticipating the plot and publishing an explanation.

Literature and journalism are the two most important educational powers; for this reason our government will buy up the greater number of periodicals. By these means we shall neutralise the bad influence of the private press and obtain an enormous influence over the human mind. If we were to allow ten private periodicals we should ourselves start thirty, and so forth.

But the public must not have the slightest suspicion of these measures, therefore all periodicals published by us will seem to be of contradictory views and opinions, thus inspiring confidence and presenting an attractive appearance to our unsuspecting enemies, who will thus fall into our trap and will be disarmed.

In the front row we will place the official press. It will always be on guard in defence of our interests and therefore its influence on the public will be comparatively insignificant. In the second row we will place the semi-official press, the duty of which will be to attract the indifferent and lukewarm. In the third row we will place what will purport to be our opposition, which in one of its publications will appear to be our adversary. Our real enemies will take this opposition into their confidence and will let us see their cards.

All our newspapers will support different parties--aristocratic, republican, revolutionary, and even anarchical--but, of course, only so long as constitutions last. These newspapers, like the Indian god Vishnu, will be possessed of hundreds of hands, each of which will be feeling the pulse of varying public opinion.

When the pulse becomes quick, these hands will incline this opinion towards our cause, because a

If any chatterers are going to imagine that they are repeating the opinion of their party newspaper, they will in reality be repeating our own opinion, or the opinion which we desire. Thinking that they are following the organ of this party, they will in reality be following the flag which we will fly for them. In

order that our newspaper army may carry out the spirit of this programme of appearing to support various parties, we must organise our press with great care.

Under the name of Central Commission of the Press, we will organise literary meetings, at which our agents unnoticed will give the countersign and the passwords. By discussing and contradicting our policy, of course always superficially, without really touching on the important parts of it, our organs will carry on feigned debates with official newspapers in order to give us an excuse for defining our plans with more accuracy than we could do in our preliminary announcements. But this, of course, only when it is to our advantage. This opposition on the part of the press will also serve the purpose of making the people believe that liberty of speech still exists. To our agents it win give an opportunity of showing that our opponents bring senseless accusations against us, being unable to find a real ground on which to refute our policy.

Such measures, which will escape the notice of public attention, will be the most successful means of guiding the public mind and of inspiring confidence in favour of our government.

Thanks to these measures, we will be able to excite or calm the public mind on political questions, when it becomes necessary for us to do so; we will be able to persuade or confuse them by printing true or false news, facts or contradictions, according as it will suit our purpose. The information which we will publish will depend on the manner in which the people are at the time accepting that kind of news, and we will always take great care to feel the ground before treading on it.

The restrictions which, as I have said, we will impose on private publications, win enable us to make a certainty of defeating our enemies, because they will not have press organs at their disposal by means of which they could truly give full vent to their opinions. We shall not even have to make a thorough refutation of their statements.

Ballons d' essai ("test balloons"--an experiment to see how a new policy etc. will be received. Concise Oxford Dictionary), which we will throw into the third row of our press, we will, if necessary, semi-officially refute.

Already there exists in French journalism a system of masonic understanding for giving countersigns. All organs of the press are tied by mutual professional secrets in manner of the ancient oracles. Not one of its members will betray his knowledge of the secret, if such a secret has not been ordered to be made public. No single publisher will have the courage to betray the secret entrusted to him, the reason being that not one of them is admitted into the literary world without bearing the marks of some shady act in his past life. He would only have to show the least sign of disobedience and the mark would be immediately revealed. Whilst these marks remain known only to a few, the prestige of the journalist attracts public opinion throughout the country. The people follow and admire him.

Our plans must extend chiefly to the provinces. It is essential for us to create such ideas and inspire such opinions there as we could at any time launch on the capital by producing them as the neutral views of the provinces.

Of course, the source and origin of the idea would not be altered: namely, it would be ours.

It is imperative for us that, before we assume power, cities should sometimes be under the influence of the opinion of the provinces--that is to say, that they should know the opinion of the majority, which will have been prearranged by us. It is necessary for us that the capitals, at the critical psychological moment, should not have time to discuss an accomplished fact, but should accept it simply because it has been passed by a majority in the provinces.

When we reach the period of the new regime--that is to say, during the transition stage to our sovereignty--we must not allow the press to publish any account of criminal cases; it will be essential that people should think that the new regime is so satisfactory that even crime has ceased.

Where criminal cases occur, they must remain known only to their victim and anyone who may have chanced to witness them, and to these alone.

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PROTOCOL XIII

The need of daily bread will force the Gentiles to hold their tongues and to remain our humble servants. Those of the Gentiles whom we may be employing in our press will, under orders from us, discuss facts to which it would not be desirable that we should especially refer in our official gazette. And, whilst all manner of discussions and disputes are thus taking place, we will pass the laws which we need and will place them before the public an accomplished fact.

No one will dare to demand that what has been decided on should be repealed, more especially as we will make it appear as if it were our intention to help progress. Then the press will draw the attention of the public away by new propositions (you know for yourselves that we have always taught the populace to seek new emotions). Brainless political adventurers will hasten to discuss the new problems, such people who even nowadays do not understand what they are talking about. Political problems are not meant to be understood by ordinary people; they can only be comprehended, as I have said before, by rulers who have been directing affairs for many centuries. From all this you may conclude that, when we shall defer to public opinion, we shall do so in order to ease the working of our machinery. You can also perceive that we seek approval for the various questions not by deeds, but by words. We continually assert that, in all our measures, we are guided by the hope and certainty of serving the common welfare.

In order to distract over restless people from discussing political questions, we provide them with new problems--that is to say, those of trade and commerce. Over such questions let them become as excited as they like! The masses consent to abstain and desist from what they think is political activity only if we can give them some new amusements, that is to say, commerce, which we try and make them believe is also a political question. We ourselves induced the masses to take part in politics in order to secure their support in our campaign against the Gentile governments.

In order to keep them from discovering for themselves any new line of action in politics, we will also distract them by various kinds of amusements, games, pastimes, passions, public houses, and so on.

Soon we shall start advertising in the press, inviting people to enter for various competitions in all manner of enterprises, such as art, sport, etc. These new interests will definitely distract the public mind from such questions which we would have to contest with the populace. As the people will gradually lose the gift of thinking for themselves, they will shout together with us, for the sole reason that we shall be the only members of society who will be in a position to advance new lines of thought, which lines we will advance by means of using as our tools only such persons as could not be suspected of being allied with us. The part of liberal idealists will be definitely terminated when our government is recognised. Until then they will do us good service. For this reason we will try to direct the public mind towards every kind of fantastic theory which could appear progressive or liberal. It was we who, with complete success, turned the brainless heads of the Gentiles by our theories of progress towards socialism; there is not to be found a brain among the Gentiles which would perceive that in every instance, behind the word "progress" is hidden a deviation from the truth, except in such cases where this word refers to scientific discoveries. For there is but one true teaching, and in it there is no room for "progress." Progress, like a false idea, serves to conceal the truth in order that nobody should know truth besides ourselves, God's Chosen People, whom he has elected as its guardian.

When we get into power, our orators will discuss the great problems which have been convulsing humanity in order, in the end, to bring mankind under our blessed rule.

Who will, then, suspect that all these problems were instigated by us in accordance with a political scheme which has been understood by no man for so many centuries?

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PROTOCOL XIV

When we establish ourselves as lords of the earth, will not tolerate any other religion except that of our own, namely, a religion recognising God alone, with whom our fate is bound by His election of us and by Whom also the fate of the world is determined.

For this reason we must destroy all professions of faith. If the temporary result of this is to produce atheists, it will not interfere with our object, but will act as an example to those generations to come, who will listen to our teaching on the religion of Moses which, by its resolute and well-considered doctrine, committed to us the duty of subduing all nations under our feet.

By doing this we shall also lay stress on the mystic truths of the Mosaic teachings on which, we shall say, is based all its educative power.

Then, on every possible occasion we will publish articles, in which we will compare our beneficial rule with that of the past. The state of blessedness and peace which will then exist, in spite of its having been brought about by centuries of disturbance, will also serve to illustrate the benevolence of our new rule. The mistakes made by the Gentiles in their administration will be demonstrated by us in the most vivid colours. We will start such a feeling of disgust towards the former regime that the nations will prefer a state of peace in a condition of enslavement, to the rights of the much-lauded liberty, which has so cruelly tortured them and drained from them the very source of human existence, and to which they were really only instigated by a crowd of adventurers who knew not what they did.

Useless changes of government, to which we have been prompting the Gentiles and by this means undermining their state edifice, will by that time have so worried the nations that they will prefer to endure anything from us out of fear of having to return to the turmoils and misfortunes which they will have gone through. We will draw special attention to the historical mistakes of the Gentile Governments, by which they tormented humanity for so many centuries in their lack of understanding anything that regards true welfare of human life and in their search for fantastic plans of social welfare. For the Gentiles have not noticed that their plans, instead of improving the relations of man to man, have only made them worse and worse. And these relations are the very foundations of human existence. The whole force of our principles and measures will be in the fact that they will he explained by us as being in bright contrast to the broken-down regime of former social conditions.

Our philosophers will expose all the disadvantages of Gentile religions, but no one will ever judge our religion from its true point of view, because nobody will ever have a thorough knowledge of it except our own people, who will never venture to unveil its mysteries.

In the so-considered leading countries, we have circulated an insane, dirty and disgusting literature. For a short time after the recognition of our rule, we shall continue to encourage the prevalence of such a literature, in order that it should the more pointedly mark the contrast of the teachings which we will issue from our exalted position. Our learned men, who were educated for the purpose of leading the Gentiles, will make speeches, draw up plans, sketch notes and write articles, by means of which we will influence men's minds, inclining them towards that knowledge and those ideas which suit us.

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PROTOCOL XV

When we shall eventually have obtained power by means of a number of coups d' etat which will be arranged by us, so that they should take place simultaneously in all countries, and immediately after their respective governments shall have been officially pronounced as incapable of ruling the populace--a considerable period of time may elapse before this is realised, perhaps a whole century--we will make every endeavour to prevent conspiracies being made against us. In order to attain this end we will make merciless use of executions with regard to all who may take up arms against the establishment of our power.

The institutions of any fresh secret society will also be punishable by death; but those secret societies which exist at the present time and which are known to us, which are serving and have served our

purpose, we will dismiss and exile their members to remote parts of the world. Such is the manner in which we will deal with any Gentile Freemasons who may know more than will suit our convenience. Such masons whom we may for some reason or other pardon, we shall keep in continual fear of being sent into exile. We will pass a law which will condemn all former members of secret societies to be exiled from Europe where we shall have the centre of our government.

The decisions of our Government will be final, and no one will have the right of appeal.

In order to call to heel all Gentile societies, in which we have so deeply implanted dissensions and the tenets of the protestant religion, merciless measures will have to be introduced. Such measures should show the nations that our power cannot be infringed. We must take no account of the numerous victims who will have to be sacrificed in order to obtain future prosperity.

To attain prosperity even by means of numerous sacrifices is the duty of a government, which realises that the conditions of its existence do not only lie in the privileges which it enjoys, but also in the executions of its duty.

The main condition of its stability lies in the strengthening of the prestige of its power, and this prestige can only be obtained by majestic and unshakable might, which should show that it is inviolable and surrounded by a mystic power; for example, that it is by God appointed.

Such has been, up to the present time, the Russian Autocracy, our only dangerous enemy, if we are not to include the Holy See. Remember, at the time when Italy was streaming with blood, she did not touch a hair of Silla's head, and he was the man who made her blood pour out. Owing to his strength of character, Silla became a god in the eyes of the populace, and his fearless return to Italy made him inviolable. The populace will not harm the man who hypnotises it by his courage and strength of mind.

Until the time when we attain power we will try to create and multiply lodges of freemasons in all parts of the world. We will entice into these lodges all, who may become, or who are known to be public-spirited. These lodges will be the main place from which we shall obtain our information, as well as being propaganda centres.

We will centralise all these lodges under one management, known to us alone, and which will consist of our learned men. These lodges will also have their own representatives, in order to screen where the management really lies. And this management will alone have the right of deciding who may speak, and of drawing up the order of the day. In these lodges we will tie the knot of all socialistic and revolutionary classes of society. The most secret political plans will be known to us and will be guided by us in their execution as soon as they are formed.

Nearly all the agents in the international and secret police will be members of our lodges.

The services of the police are of extreme importance to us, as they are able to throw a screen over our enterprises, invent reasonable explanations for discontent among the masses, as well as punish those who to submit.

Most people who enter secret societies are adventurers, who want somehow to make their way in life, and who are not seriously minded.

With such people it will be easy for us to pursue our object, and we will make them set our machinery in motion.

If the whole world becomes perturbed, it will only signify that it was necessary for us to so perturb it in order to destroy its too great solidity. If conspiracies start in the midst of it, this will mean that one of our most faithful agents is at the head of the said conspiracy. It is only natural that we should be the sole people who direct masonic enterprises. We are the only people who know how to direct them. We know the final aim of each action, whereas the Gentiles are ignorant of most things concerning masonry, they cannot even see the immediate results of what they are doing. They generally think only of the immediate advantages of the moment, and are content if their pride is satisfied in the

fulfilment of their intention, and do not perceive that the original idea was not their own, but was inspired by ourselves.

The Gentiles frequent Masonic Lodges out of pure curiosity, or in the hope of receiving their share of the good things which are going, and some of them do so in, order to be able to discuss their own idiotic ideas before an audience. The Gentiles are on the look-out for the emotions of success and applause; these are distributed freely by us. That is why we let them have their success; in order to turn to our advantage the men possessed by feelings of self-pride, who, without noticing it, absorb our ideas, confident in the conviction of their own infallibility, and that they alone have ideas and are not subject to the influence of others.

You have no idea how easy it is to bring even the most clever of the Gentiles to a ridiculous state of naivete by working on his conceit, and, on the other hand, how easy it is to discourage him by the smallest failure or even by simply ceasing to applaud him and thus bring him to a state of servile subjection, holding out to him the prospect of some new success. Just as our people despise success, and are only anxious to see their plans realised, so the Gentiles love success and are prepared to sacrifice all their plans for its sake. This feature in the character of the Gentiles renders it much easier for us to do what we like with them. Those who appear to be tigers are as stupid as sheep, and their

We will let them ride in their dreams on the horse of idle hopes of destroying human individuality by symbolic ideas of collectivism. They have not yet understood, and never will understand, that. this wild dream is contrary to the principal law of nature, which, from the beginning of the world, created a being unlike all others in order that he should have individuality.

Does not the fact that we were capable of bringing the Gentiles to such an erroneous idea prove, with striking clearness, what a narrow conception they have of human life in comparison with ourselves? Herein lies the greatest hope of our success. How farseeing were our wise men of old when they told us that, in order to attain a really great object we must not stop short before the means, nor count the number of victims who must be sacrificed for the achievement of the cause! We never counted the victims of the seed of those brutes of Gentiles, and, although we have sacrificed many of our own people, we have already given them such a position in this world as they formerly never dreamt that they would attain. Comparatively few victims on our side have safeguarded our nation from destruction. Every man must inevitably end by death. It is better to hasten this end in the case of people who impede our cause than in that of those who advance it. We put freemasons to death in such a manner that no one, except the brotherhood, can have the least suspicion of the fact; not even the victims suspect beforehand. They all die, when it is necessary, apparently from a natural death. Knowing these facts, even the brotherhood itself dares not protest against it.

By such means we have cut to the very root of protest against our orders so far as the freemasons themselves are concerned. We preach liberalism to the Gentiles, but on the other hand we keep our own nation in entire subjection.

Under our influence the laws of the Gentiles have been obeyed as little as possible. The prestige of their laws has been undermined by liberal ideas, which have been introduced by us into their midst. The most important questions, both political and moral, are decided by the Courts of Justice in whatever manner we prescribe. The Gentile administrator of justice looks upon cases in whatever light we choose to expose them. This we accomplished by means of our agents and people with whom we appear to have no connection: opinions of the press and other means; even senators and

The brain of the Gentile, being of a purely bestial character, is incapable of analysing and observing anything and moreover of foreseeing to what the development of a case may lead if it is placed in a certain light.

It is just in this difference of mentality between the Gentiles and ourselves that we can easily see the mark of our election by God and superhuman nature, when it is compared with the instinctive bestial brain of the Gentiles. They only see facts, but do not foresee them, and are incapable of inventing anything, with the exception, perhaps, only of things material. From all this it is clear that nature herself meant us to lead and rule the world. When the time comes for us to govern openly, the

moment will come to show the benevolence of our rule, and we shall amend all the laws. Our laws will be short, clear and concise, requiring no interpretation, so that everybody will be able to know them inside out. The main feature in them will be the obedience required towards authority, and this respect for authority will be carried to a very high pitch. Then all kinds of abuse of power will cease, because everybody will be responsible before the one supreme power, namely that of the sovereign. The abuse of power on the part of people other than the sovereign will be so severely punished that all will lose the desire to try their strength in this respect.

We shall closely watch each step taken by our administrative body, from which will depend the working of the state machine; because, if the administration becomes slack, disorder will arise everywhere. Not a single illegal act or abuse of power will remain unpunished.

All acts of concealment and of wilful neglect on part of officials of the administration will disappear

The grandness of our might will require that suitable punishments should be awarded, that is to say, that they should be harsh, even in the case of the smallest attempt to violate the prestige of our authority for the sake of personal gain. The man who suffers for his faults, even if too severely, will be like a soldier dying on the battlefield of the administration in the cause of power, principle, and law, which admit of no deviation from the public path for the sake of personal interests, even in the case of those who drive the public chariot. For example, our judges will know that, by attempting to show their indulgence, they will violate the law of justice, which is made in order to award an exemplary punishment to men for the offences which they have committed, and not in order to enable the judge to show his clemency. This good quality ought only to be shown in private life, and not in the official capacity of a judge, which influences the whole basis of the education of mankind.

Members of the law will not serve in the courts after 55 years of age for the following reasons:

1. Because old men adhere more firmly to preconceived ideas and are less capable of obeying new orders.

2. Because such a measure will enable us to make frequent changes in the staff, which will thus be subject to any pressure on our part. Any man who wishes to retain his post will, in order to secure this, have to obey us blindly. In general our judges will be selected from among men who understand that their duty is to punish and to apply laws, and not to indulge in dreams of liberalism, which might injure the educational scheme of the government, as the Gentile judges at present do. Our scheme for changing officials will also help us to destroy any kind of combination which they might form among themselves, and so they will work solely in the interest of the government, from which their fate will depend. The rising generation of judges will be so educated that they will instinctively prevent any action which might harm the existing relations of our subjects one to another.

At present judges of the Gentiles are indulgent to all manner of criminals, for they do not possess the correct idea of their duty, and for the simple reason that rulers, when appointing judges, do not impress the idea of their duty upon them.

The rulers of the Gentiles, when nominating their subjects to important posts, do not trouble to explain to them the importance of the same and for what purpose the posts in question were created; they act like animals when these send their young out in search of prey. Thus the governments of the Gentiles fall to pieces at the hands of their own administrators. We will take more moral, drawn from the results of the system adopted by the Gentiles, and use it for the edification of our government.

We will root out all liberal tendencies from every important institution of propaganda in our government, from which may depend the education of all those who will be our subjects. These important posts will be reserved exclusively for those who were specially educated for administration.

Should it be observed that to put our officials prematurely on the retired list might prove too expensive for our government, I will reply that, first of all, we shall try to find private occupation for such officials in order to compensate them for the loss of their posts in government employment, or else that, in any

case, our government will be in possession of all the money in the world, therefore expense will not come into consideration.

Our autocracy will be consistent in all its actions, therefore any decision which our high command may choose to take will always be treated with respect and unconditionally obeyed. We shall ignore any kind of grumbling or dissatisfaction, and punish every sign of discontent so severely that other people will accept it as an example for themselves.

We will cancel the right of appeal and reserve it only for our own use; the reason being that we must not allow the idea to grow up among the people that our judges are capable of erring in their decisions.

In case of a judgment requiring revision, we will immediately depose the judge in question and publicly punish him, in order that such an error should not occur again.

I repeat what I have said before, namely that one of our main principles will be to watch administrative officials, and this chiefly in order to satisfy the nation, because it has a full right to insist that a good

Our government will bear the appearance of a patriarchal trust in the person of our ruler. Our nation and our subjects will look upon him as upon a father, who takes care to satisfy all their needs, looks after an their actions and arranges the dealings of his subjects one with another, as well as their dealings with the government. Thus the feeling of reverence towards the ruler will penetrate so deeply into the nation that it will not be able to exist without his care and leadership. They cannot live in peace without him, and will finally recognise him as their sovereign autocrat.

The people will have such a deep feeling of reverence towards him as will approach adoration, especially when they are convinced that his officials blindly execute his order and that he alone rules over them. They will rejoice to see us regulate our lives as if we were parents desirous of educating their children with a keen sense of duty and obedience.

As regards our secret policy, all nations are children, and their governments also. As you can see for yourselves, I base our despotism on Right and on Duty. The right of the government to insist that people should do their duty is in itself an obligation of the ruler, who is the father of his subjects. Right of might is granted to him in order that he should lead humanity in the direction laid down by the laws of nature, that is to say towards obedience.

Every creature in this world is under subjection, if not under that of a man, then under that of circumstances or under that of its own nature, in any case under something that is more powerful than itself. Therefore let us be more powerful for the sake of the common cause.

We must, without hesitation, sacrifice such individuals as may have violated the existing order, because in exemplary punishment is the solution of the great educational problem.

On the day when the King of Israel places upon his sacred head the crown, presented to him by the whole of Europe, he will become the Patriarch of the world.

The number of victims, who will have to be sacrificed by our King, will never exceed the number of those who have been sacrificed by Gentile sovereigns in their quest for greatness and in their rivalry with one another.

Our sovereign will be in constant communication with the people, he will deliver speeches from tribunes, which speeches will be immediately circulated all over the world.

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PROTOCOL XVI

With the object of destroying any kind of collective enterprise, other than our own, we will annihilate collective work in its initial stage--that is to say, we will transform the universities and reconstruct them according to our own plans.

The heads of the universities and their professors will be specially prepared by means of elaborate secret programmes of action, in which they will be instructed and from which they will not be able to deviate with impunity. They will be very carefully nominated and will be entirely dependent on the Government. We will exclude from our syllabus all teachings of civil law, as well as of other political subject. Only a few men from among the initiated will be selected for their conspicuous abilities, in order to be taught these sciences. Universities will not be allowed to turn out into the world green young: men with ideas on new constitutional reforms, as though these were comedies or tragedies, or who concern themselves with political questions, of which even their fathers had no understanding.

A wrong acquaintance of politics among a mass of people is the source of Utopian ideas and makes them into bad subjects. This you can see for yourselves from the educational system of the Gentiles. We had to introduce all these principles into their educational system, in order that we might as successfully destroy their social structure as we have done. When we are in power we will remove from educational programmes all subjects which might upset the brains of youth and will make obedient children out of them, who will love their ruler and recognise in his person the main pillar of peace and of public welfare.

Instead of classics and the study of ancient history, which contains more bad examples than good, we will introduce the study of the problems of the future. We will erase from the memory of man, the bygone ages, which may be unpleasant to us, leaving only such facts as would show the errors of the Gentile governments in marked colours. Subjects dealing with questions of practical life, social organisation and with the dealings of one man with another, as also lectures against bad selfish examples--which are infectious and cause evil, and all other similar questions of an instinctive character will be in the forefront of our educational programme. These programmes will be specially drawn up for the different classes and castes, the education of which will be kept strictly apart.

It is most important to lay stress on this particular system. Each class or caste will have to be educated separately, according to its particular position and work. A chance genius always has known and always will know how to penetrate into a higher caste but, for the sake of this quite exceptional occurrence, it is not expedient to mix the education of the different castes and to admit such men into higher ranks, in order that they may only occupy the places of those who are born to fill them. You know for yourselves how fatal it was for the Gentiles when they gave way to the absolutely idiotic idea of making no difference between the social classes.

In order that the sovereign should gain a firm place in the hearts of his subjects it is necessary that, during his reign, the nation should be taught, both in schools as well as in public places, the importance of his activity and the benevolence of his enterprise.

We will abolish every kind of private education. On holidays, students and their parents will have the right to attend meetings in their colleges as though these were clubs. At these meetings professors will deliver speeches, purporting to be free lectures, on questions of men's dealings with one another, on laws and on misunderstandings which are generally the outcome of a false conception of men's social position, and finally they will give lessons on new philosophical theories, which have not yet been revealed to the world. These theories we will make into doctrines of faith, using them as a stepping-stone to our Faith.

When I have finished taking you through the whole programme and when we shall have finished discussing all our plans for the present and for the future, I will read to you the plan of that new philosophical theory. We know from the experience of many centuries, that men live and are guided by ideas and that people are inspired by these ideas only by means of education, which can be given with the same result to men of all ages, but of course by various means. By systematical education we shall take charge of whatever may remain of that independence of thought, of which we have been making full use for our own ends for some time past. We have already established the system of subduing men's minds by the so-called system of demonstrative education (teaching by sight), which is supposed to make the Gentiles incapable of thinking independently and so they will, like obedient

animals, await the demonstration of an idea before they have grasped it. One of our best agents in France is Bouroy: he has already introduced the new system of demonstrative education.

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PROTOCOL XVII

The profession of the law makes people grow cold, cruel, and obstinate and also deprives them of all principles and compels them to take a view of life which is not human, but purely legal. They have become used to look on circumstances purely from the point of view, of what is to be gained from defence and not from that of the effect which such a defence might have on the public welfare.

A legal practitioner never refuses to defend any case. He will try to obtain an acquittal at all costs by clinging on to small tricky points in jurisprudence and by these means he will demoralise the court.

Therefore we will limit the sphere of action of this profession and will place lawyers on a footing with executive officials. Barristers, as well as judges, will have no right to interview their clients and will receive their briefs only when they are assigned to them by the law court and they will study these solely from reports and documents, and will defend their clients after they have been examined in court by the prosecution, basing the defence of their clients on the result of this examination. Their fee be fixed, regardless of the fact whether the defence has been successful or not. They will become simple reporters on behalf of justice, counterbalancing the prosecutor, who will be a reporter on behalf of the prosecution.

Thus legal procedure will be considerably shortened. By this means we shall also attain an honest impartial defence, which will be conducted not by material interests, but by the personal conviction of the lawyer. This will also have the advantage of putting an end to any bribery or corruption, which can at present take place in the law courts of some countries.

We have taken great care to discredit the clergy of the Gentiles in the eyes of the people, and thus have succeeded in injuring their mission, which could have been very much in our way. The influence of the clergy on the people is diminishing daily.

Today freedom of religion prevails everywhere, and the time is only a few years off when Christianity will fall to pieces altogether. It will be still easier for us to deal with the other religions, but it is too early to discuss this point.

We will confine the clergy and their teachings to such a small part in life and their influence will be made so uncongenial to the populace that their teachings will have the opposite effect to what it used to have.

When the time comes for us to completely destroy the Papal Court, an unknown hand, pointing towards the Vatican, will give the signal for the assault. When the people in their rage throw themselves on to the Vatican, we shall appear as its protectors in order to stop bloodshed. By this act we will penetrate to the very heart of this Court and then no power on earth will expel us from it, until we have destroyed the Papal might. The King of Israel will become the true Pope of the universe, the Patriarch of the International Church.

But until we have accomplished the re-education of youth by means of new temporary religions, and subsequently by means of our own, we will not openly attack the existing Churches, but will fight them by means of criticism, which already has and will continue to spread dissensions among them.

Generally speaking, our press will denounce governments, religious and other Gentile institutions by means of all kinds of unscrupulous articles, in order to discredit them to such an extent as our wise nation only is capable of doing.

Our government will resemble the Hindu god Vishnu. Each of our hundred hands will hold one spring of the social machinery of State.

We shall know everything, without the aid of official police, which we have so corrupted for the Gentiles that it only prevents the government from seeing real facts. Our programme will induce a third part of the populace to watch the remainder from a pure sense of duty and from the principle of voluntary government service.

Then it will not be considered dishonourable to be a spy, on the contrary it will be regarded as praiseworthy. On the other hand, the bearers of false reports will be severely punished, in order to prevent abuse being made of the privilege of report.

Our agents will be selected both from among the upper and the lower classes; they will be taken from among administrators, editors, printers, booksellers, clerks, workmen, coachmen, footmen, etc. This force of police will have no independent power of action, and will not have the right to take any measures of their own accord, and therefore the duty of this powerless police will consist solely in acting as witnesses and in issuing reports. The verification of their reports and actual arrests will depend on a group of responsible police inspectors; actual arrests will be made by "gendarmes" and city police. In case of failure to report any misdemeanour, concerning political matters, the person who should have reported the same will be punished for wilful concealment of crime, if it can be proved that he is guilty of such concealment. In like manner our brothers have to do now, namely, on their own initiative to report to the proper authority all apostates and all proceedings that might be contrary to our law. So in our Universal Government it will be the duty of all our subjects to serve their sovereign by taking the above-mentioned action.

An organisation such as this will root out all abuse of power and various kinds of bribery and corruption--in fact it will destroy all ideas with which we have contaminated the life of the Gentiles, by means of our theories on superhuman rights.

How could we achieve our aim of creating disorder in the administrative institutions of the Gentiles if not by some such means as this?

Among the most important means for corrupting their institutions is the use of such agents as are in a position, through their own destructive activity, to contaminate others by revealing and developing their own corrupt tendencies, such as abuse of power and a free use of bribery.

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PROTOCOL XVIII

When, the time comes for us to take special-police measures by putting the present Russian system of "Okhrana" in force (the most dangerous poison for the prestige of the state) we will stir up mock disorders among the populace, or induce it to show protracted discontent, and this with the aid of good orators. These orators will find plenty of sympathisers, thus giving us an excuse for searching people's houses and placing them under special restrictions by making use of our servants among the police of the Gentiles.

As most conspirators are actuated by their love for such art and for that of chattering, we will not touch them until we see that they are about to take action, and we will confine ourselves to introducing among them a, so to speak, reporting element. We must remember that a power loses prestige every time that it discovers a public conspiracy against itself. In such a revelation lies the presumption of weakness and, what is still more dangerous, the admission of its own mistakes. It must be known that we have destroyed the prestige of reigning Gentiles by means of a number of private assassinations, accomplished by our agents, the blind sheep of our flock, who can easily be induced to commit a crime, so long as such a crime is of a political character.

We will force rulers to admit their own weakness by openly introducing special police measures, "Okhrana," and thus we shall shake the prestige of their own power.

Our sovereign will be protected by means of most secret guards, as we will never allow anyone to think that there might exist such a conspiracy against our ruler that he could not personally destroy and from which he is obliged to hide himself. If we were to allow the existence of such an idea to prevail, as it prevails among the Gentiles, we should thereby sign the death warrant of our sovereign or, if not of himself, then of his dynasty.

By a strict observance of appearances our ruler will use his power only for the benefit of the nation, but never for his own good or for that of the dynasty.

By strictly adhering to such a decorum, his power be honoured and protected by his subjects themselves. They will worship the power of the sovereign, knowing that to this power is tied the welfare of the state, because from it will depend public order.

To guard the King openly is equivalent to an admission of the weakness of his power.

,Our ruler will always be amidst his people and will appear to be surrounded by an inquisitive crowd of men and women, apparently always by chance occupying the rows nearest to him and thus holding back the mob with a view to keeping order merely for order's sake. This example will teach others to exercise self-control. In case of a petitioner amongst the people trying to submit a demand and pushing through the mob, the people in the first rows will take his petition and will remit it to the ruler in the presence of the petitioner, in order that everyone should know that all petitions reach the sovereign and that he himself controls all affairs. In order to exist, the prestige of power must occupy such a position, that the people can say among themselves: "If only the King knew about it" or "When the King knows about it."

The mysticism, which surrounds the person of the sovereign, vanishes as soon as a guard of police is seen to be placed round him. When such a guard is employed, any assassin has only to exercise a certain amount of audacity, in order to imagine himself stronger than the guard; he thus realises his strength and so only has to watch for the moment, when he can make an assault on the said power.

We do not preach this doctrine to the Gentiles, and you can see for yourselves the results, which the employment of open guards has had for them.

Our government will arrest such people as they may more or less rightfully suspect of political crimes. It is not desirable for fear of misjudging a man to give an opportunity of escape to such suspects.

We will, indeed, show no mercy to such criminals. In certain exceptional cases it may be possible to consider attenuating circumstances, when dealing with ordinary criminal offences; but there can be no excuse for a political crime, that is to say, no excuse for men to become involved in politics, which none, except the ruler, should understand. And, indeed, not all rulers are capable of understanding true politics.

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PROTOCOL XIX

We will prohibit individuals from becoming involved in politics, but, on the other hand, we will encourage every kind of report or petition submitting suggestions for the approval of the government which deal with the improvement of social and national life. Thus, by these means, the mistakes of our Government and the ideals of our subjects will become known to us. We will answer these suggestions by accepting them or, if they are unsatisfactory, by producing a sound argument to prove that they are impossible of realisation and based on a short-sighted conception of affairs.

Sedition is no more than the barking of a dog at an elephant. In a government that is well organised from a social point of view, but not from a point of view of its police, the dog barks at the elephant without realising his strength. The elephant has only to show its strength by one good example for the dogs to stop barking and to start wagging their tails as soon as they see the elephant.

In order to deprive the political criminal of his crown of valour, we will place him in the ranks of other criminals on an equal footing with thieves, murderers, and other kinds of repulsive malefactors. Then public opinion will mentally regard political crimes in the same light as ordinary crimes and will place the same common stigma on both.

We have done our best to prevent the Gentiles from adopting this particular method of dealing with political crimes. In order to attain this end, we have made use of the press, public speaking, and cleverly thought-out history school-books, and inspired the idea of a political murderer being a martyr, because he died for the idea of human welfare. Such an advertisement has multiplied the number of liberals and has swollen the ranks of our agents by thousands of Gentiles.

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PROTOCOL XX

Today I will deal with our financial programme, which I have left for the end of my report, as being the most difficult question and forming the final clause in our plans. Before discussing this point, I will remind you of that which I have touched upon before, namely, that our whole policy is dependent on a question of figures.

When we get into power our autocratic government will, for the sake of self-interest, avoid imposing heavy taxation on the populace, and will always bear in mind that part which it has to play, namely, the part of father protector.

But, as the organisation of the Government will absorb vast sums of money, it is all the more necessary to raise the required means for maintaining it. Therefore we must exercise great care in working out this question and see that the burden of taxation is fairly distributed.

Through a legalised fiction, our sovereign will be the owner of all property in the state (this is easily put into practice). He will be able to raise such sums of money as may be necessary to regulate the circulation of currency in the country.

Hence the best means to meet government expenses will be by a progressive taxation of property. Thus, taxation will be paid without oppressing or ruining the people and the amount at which it will be assessed will depend on the value of each individual property.

It must be understood by the rich that it is their duty to hand over part of their surplus wealth to the government, because the government guarantees them safe possession of the remainder of their property and gives them the right to earn money by honest means. I say honest, because the control of property will preclude robbery on legal grounds.

This social reform must be in the forefront of our programme, as it is the principal guarantee of peace and will brook no delay.

Taxation of the poor is the origin of all revolution and always greatly conducive to injury to the Government, as the latter, while trying to raise money from the poor, loses its chance of obtaining it from the rich.

Taxation of capital will diminish the increase of wealth in private hands, into which we have up till now purposely allowed it to accumulate, in order to act as a counterpoise to the Government of the Gentiles and their finances.

Progressive taxation assessed according to the fortune of the individual will produce a much larger revenue than the present system of taxing everybody at an equal rate. This system is at the present time (1901) most essential for us, it creates discontent among the Gentiles. (Note that this lecture was delivered in 1901.)

Our sovereign's power will rest mainly on the that he will be a guarantee for the balance of power for the perpetual peace of the world and, in order obtain such a peace, capitals will have to surrender ~ - of their wealth so as to safeguard the government in action.

Government expenditure must be paid for by those who can best afford to do so and from whom money can be raised.

Such a measure will stop hatred on the part of the poorer classes for the rich, in whom they will recognise the necessary financial supporters of the government and will see the upholders of peace and public welfare; the poorer classes will understand that the rich provide the means for supplying them with social benefits.

In order that the intelligent classes, that is to say the taxpayers, should not complain excessively about the new system of taxation, we will furnish them with detailed accounts, in which will be set forth the manner in which their money is being spent, excepting of course such portion of it as is spent on the private needs of the sovereign and on the requirements of administration.

The sovereign will have no personal property, as everything in the state will belong to him, for if sovereign were allowed to own private property it would appear as though all property in the state did not to him.

The relations of the sovereign--except his heir, who will also be kept at government expense--will have to serve as government officials or else work in order to retain the right of holding property, the privilege of being of royal blood would not entitle them to live at the expense of the state.

There will be a progressive stamp duty on all sales and purchases as well as death duties. Any transaction without the required stamp will be considered illegal, and the former owner will be obliged to pay to the government a percentage on the duty from the date of the sale.

All transfer vouchers must be delivered weekly to the local surveyors of taxes, together with a statement of the name and surname of both the new and previous owner, as well as the permanent addresses of both.

Such a procedure will be necessary for transactions in excess of a certain amount, that is to say, in excess of the amount equal to the average daily expenditure. The sale of prime necessities will only have to be stamped with an ordinary fixed duty stamp.

Just count by how many times the amount of such taxation will surpass the income of the governments of the Gentiles.

The state will have to keep in reserve a certain amount of capital and, in case the income from taxation were to exceed this specified sum, such superfluous income will have to be put back into circulation. These surplus sums will be expended on the organisation of various kinds of public works.

The directorate of such works will be under a government department, and thus the interests of the working classes will be closely connected with those of the government and with their sovereign. A portion of this surplus money will also be allotted to premiums inventions and productions.

It is most essential not to allow currency to lie inactive in the state bank, beyond such a specified sum as may be intended for some special purpose. For currency exists for circulation and any congestion of money always has a fatal effect on the course of state affairs, since money acts as a lubricant in the state mechanism and, if the lubricant becomes clogged, the working of the machine is thereby stopped.

The fact that bonds have been substituted for a large part of the currency has now created a congestion such as just described. The consequences of this fact are becoming sufficiently obvious.

We will also institute an auditing department, so as to enable the sovereign at any time to receive a full account of the expenditure of the government and its revenue. All reports will be kept strictly up to date, except those of the current and preceding months.

The only person who could not be interested in robbing the state bank will be its owner, namely, the Sovereign. For this reason his control will stop all possibility of leakage or unnecessary expenditure. Receptions for sake of etiquette, which waste the valuable time of the Sovereign, will be abolished in order that he may have more opportunity to attend to affairs of state. Under our government the Sovereign will not be surrounded by courtiers, who usually dance attendance on the monarch for the sake of pomp and are only interested in their own affairs, putting aside as they do the welfare of the state.

All economic crises, which we have so skillfully arranged in the Gentile countries, we carried out by means of withdrawing currency from circulation. Large fortunes are congested, money being withdrawn from the government, which in its turn is obliged to appeal to the owners of such fortunes, in order to raise loans. These loans have put heavy burdens on the governments, compelling them to pay interest on the borrowed money, and thus tying their hands.

Concentration of production into the hands of capitalism has sucked all the productive power of the people dry, and with it also the wealth of the state.

Currency at the present time cannot satisfy the requirements of the working classes, as there is not enough to go all around.

The issue of currency must correspond to the growth of the population, and children have to be reckoned as consumers of currency from the first day of their birth. Occasional revision of currency is a vital question for the whole world.

I think that you know that gold currency has been the destruction of all states which have adopted it, because it could not satisfy the requirements of the population, all the more so because we have done our best to cause it to be congested and to be withdrawn from circulation.

Our government will have a currency based on the value of the working power of the country, and it will be of paper or even of wood.

We will issue currency sufficient for each subject, adding to this amount on the birth of every child, and diminishing it with the death of each person.

Government accounts will be kept by separate local governments and by county offices.

In order that delays should not occur in paying government expenses, the Sovereign himself will issue orders as to the term of payment of such sums, thus the favouritism which is sometimes shown by ministries finance to certain departments will be terminated.

The revenue and expenditure accounts will be kept together, in order that they may always be compared with one another.

The plans which we will make for the reform of the financial institutions of the Gentiles will be introduced in such a manner as will never be noticed by them. We will point out the necessity of reforms, as being due to the disorderly state which Gentile finances have reached. We will show that the first reason for this bad state of finance lies in the fact that they start their financial year by making a rough estimate for the budget, the amount of which increases from year to year, and for the following reason: the annual budget is with great difficulty made to last till the end of the half year; then a revised budget is introduced, the money of which is generally expended in three months; after that a supplementary budget is voted; at the end of the year accounts are settled by a liquidation budget. The budget for the year is based on the total expenditure of the preceding year; therefore each year there is a deviation of about 50 percent from the nominal sum and the annual budget at the end of 10 years is increased threefold. Thanks to such a procedure, which was tolerated by the

careless Gentile governments, their reserves have been drained. Then, when the period of loans arose, it emptied their banks and brought them to the verge of bankruptcy.

You will readily understand, that such a management of financial affairs, which we induced the Gentiles to pursue, cannot be adopted by our Government.

Each loan proves the weakness of the government and its failure to understand its own rights. Each loan, like the sword of Damocles, hangs over the heads of the rulers who, instead of raising certain sums direct from the nation by means of temporary taxation, come to our bankers cap in hand.

External loans are like leeches, which cannot be separated from the body of the government until they fall off of themselves or until the government manages to shake them off. But the governments of the Gentiles have no desire to shake off these leeches; on the contrary, they increase their number, and therefore their state is bound to die from self-inflicted loss of blood. For what is an external loan if not a leech? A loan is an issue of government paper which entails an obligation to pay interest amounting to a percentage of the total sum of the borrowed money. If a loan is at 5 percent, then in 20 years the government will have unnecessarily paid out a sum equal to that of the loan, in order to cover the percentage. In 40 years it will have paid twice, and in 60 thrice that amount, but the loan will still remain as an unpaid debt.

From this calculation it is evident that such loans, under the existing system of taxation (1901), draw the last cents from the poor taxpayer in order to pay interests to foreign capitalists, from whom the state has borrowed the money, instead of collecting the necessary sum from the nation free of all interest in the shape of taxation.

As long as loans were internal, the Gentiles only transferred money from the pockets of the poor into those of the rich; but after we bribed the necessary people to substitute external loans for internal, all the wealth of the states rushed into our safes and all the Gentiles started paying us what amounted to nothing short of tribute.

Through their carelessness in statesmanship, or owing to the corruption of their ministers, of their ignorance of finance, Gentile Sovereigns have put their countries in debt to our banks, so that they can never payoff these mortgages. You must understand to what pains we must have gone in order to bring about such a state of affairs.

In our government we will take great care that congestion of money shall not occur, and therefore we will not have state loans, except one of 1 percent exchequer bonds, in order that payment of percentage should not expose the country to be sucked by leeches.

The right of issuing bonds will be given exclusively to commercial companies. These will have no difficulty in paying the percentage out of their profits because they borrow money for commercial enterprises, but the government cannot make profits from borrowed money, because it borrows solely in order to spend what it has taken on loan.

Commercial shares will also be bought by the government, which will thus become a creditor instead of being a debtor and payer of tribute as it is at present. Such a measure will put an end to indolence and laziness, which were useful to us as long as the Gentiles were independent, but would be undesirable in our government.

The emptiness of the purely bestial brains of the Gentiles is sufficiently proved by the fact that, when they borrowed money from us at interest, they failed to understand that each sum so borrowed, together with the interest on the amount, would eventually have to come out of the resources of the country. It would have been simpler to have taken the money from their own people at once without having to pay interest. This proves our genius, and the fact that our people has been elected by God. We have so managed as to present the question of loans in such a light to the Gentiles that they even thought that they found a profit them.

Our estimates, which we will produce when the time comes, and which will have been worked out with the experience of centuries and which we have been considering while the Gentiles have been governing, will differ from those made by the Gentiles in their extraordinary clearness, and will prove to the world how beneficial are our new plans. These plans will terminate such abuses as those by which we became masters of the Gentiles, and as cannot be allowed in our reign. We will so arrange the system of our budget that neither the ruler himself nor the most insignificant clerk will be in a position unobserved to extract the smallest portion of the money or use it for any other purpose than that to which it has been allotted in the first estimate.

Without a definitely fixed plan it is impossible to rule successfully. Even knights and heroes perish when they take a road not knowing where it leads, and start on their journey without being properly provisioned.

The Sovereigns of the Gentiles, whom we helped to induce to forsake their duties in the government by means of representations and entertainments, pomp, and other diversions, were no more than screens to hide our intrigues.

The reports of their followers, who used to be sent to represent the Sovereign in his public duties, were made for them by our agents. On each occasion these reports used to please the short-sighted minds of the sovereigns, accompanied, as they were, by various schemes for future economy. "How could they economise by fresh taxation?" they could have asked, but they did not ask, the readers of our reports.

You yourselves know to what a state of financial chaos they have come by their own negligence, they have ended in bankruptcy in spite of all the hard work of their subjects.

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PROTOCOL XXI

I will now add to what I told you at our last meeting and give you a detailed explanation of internal loans. But I will not discuss external loans any further, because they have filled our coffers with Gentile money, and also because our universal government will have no foreign neighbours from whom they could borrow money.

We made use of the corruption of administrators and of the negligence of Gentile Sovereigns in order to obtain twice and three times the amount of the money advanced by us to their governments, which in reality they did not need at all. Who could do the same with regard to us? Therefore I will only go into the question of internal loans.

When it announces the issue of such a loan, the government opens a subscription for its bonds. In order that these bonds might come within the reach of everybody they are issued down to very small amounts. The first subscribers are allowed to buy below par. On the following day their price is inflated in order to convey the idea that everybody is anxious to buy them.

In the course of a few days of the exchequer, the safes of the exchequer are full with all the money which has been oversubscribed. (Why continue accepting money for an oversubscribed loan?) The subscription is evidently considerably in excess of the amount asked for, in this lies the whole effect--the public evidently trust the government!

But when the comedy is over there arises the fact of a very large debt. And, in order to pay the interest on this debt, the government has to have recourse to a fresh loan, which, in its turn, does not annul the state debt, but only adds to it. When the borrowing capacity of the government is exhausted, the interest on the loans must be paid by new taxations. These taxations are nothing but debts contracted in order to cover other debts.

Then comes a period of conversions of loans, but such conversions only diminish the amount of interest to be paid, and do not annul the debt. Moreover they can on}y be made with the consent of

the creditors. When such conversions are announced the creditors are given the right to accept them or to have their money back, in case they do not wish to accept the conversions. If everybody were to reclaim his own money, the government would be caught by its own bait, and would not be in a condition to return all the money. Luckily the subjects of the Gentile governments do not understand much of finance and they have always preferred suffering a fall in the value of their securities and a reduction of interest to the risk of a new investment; thus they have often given their government an opportunity to get rid of a debt, which probably amounted to several millions.

The Gentiles would not dare to do such a thing with external loans, knowing very well that, in such a case, we would demand all our money.

By such action the government would openly admit its own bankruptcy, which would plainly show the people that their own interests have nothing in common with those of their government. I specially draw your attention to this fact as also to the following: at present all internal loans are consolidated by so-called temporary loans, that is to say, debts, the period for the payment of which is short. These debts consist of the money placed on deposit in state banks or saving banks. This money, being at the disposal of the government for a considerable length of time, is used for paying interest on external loans and, in lieu of the money, the government places an equal amount in its own securities into these banks. These state securities cover all deficits in the state safes of the Gentiles.

When our sovereign is enthroned over the whole world, all these tricky financial operations will vanish. We will destroy the market in public funds, because we will not allow our prestige to be shaken by the rise and fall of our stocks, the value of which will be established by law at par without any possibility of fluctuation in price. Rise gives cause to fall, and it is by rises that we started to discredit the public funds of the Gentiles.

For Stock Exchanges will be substituted enormous government organisations, the duty of which will consist in taxing commercial enterprises as the government may think fit. These institutions will be in a position to throw on to the market millions' worth of commercial shares, or to buy up the same, in one day. Thus all commercial enterprises will be dependent on us.

You can imagine what a power we will thus become.

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PROTOCOL XXII

In all which I have told you up till now I have tried to give you a true picture of the mystery of the present events, as also of those of the past, which all flow into the river of Fate, and the result of which will be seen in the near future. I have shown you our secret plans by which we deal with the Gentiles as well as our financial policy. I have only to add a few more words.

In our hands is concentrated the greatest might of the present days, that is to say, gold. In the course of two days we can draw any amount of it from our secret treasure rooms.

Is it still necessary for us to prove that our rule is the will of God? Is it possible that, with such vast riches, we shall not be able to prove that all the gold, which we have been accumulating for so many centuries, will not help in our true cause for good,--that is to say, for the restoration of order under our rule?

It may require a certain amount of violence, but this order will eventually be established. We will prove that we are the benefactors who have restored lost peace and freedom to the tortured world. We will give the world the opportunity of this peace and freedom, but certainly only under one condition--that is to say, that it should strictly adhere to our laws. Moreover we will make it clear to everyone that freedom does not consist in dissoluteness or in the right of doing whatever people please. Likewise that the position and power of a man does not give him the right to proclaim destructive principles such as freedom of religion, equality, or similar ideas. We will also make it clear that individual freedom does not convey the right to any man to become excited or to excite others by making

ridiculous speeches to disorderly masses. We will teach the world, that true freedom consists only in inviolability of a man's person and of his property, who honestly adheres to all the laws of social life. That a man's position will be dependent on the conception which he has of another man's rights and that his dignity prohibits fantastic ideas on the subject of self.

Our power will be glorious, because it will be mighty and will rule and guide, but by no means follow leaders of the populace or any kind of orators who shout senseless words which they call high principles, and which are in reality nothing else but utopian ideas. Our power will be the organiser of order in which lies peoples' happiness. The prestige of this power will bring to it mystic adoration, as well as subjection of all nations. A true power does not yield to any right even to that of God. None will dare to approach it with the object of depriving it of a thread of its might.

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PROTOCOL XXIII

In order that people should become accustomed to obedience they must be trained to modesty, therefore we will reduce the production of objects of luxury. By these means we will also impose morals, which are being corrupted by continual rivalry on the grounds of luxury. We will patronise "peasant industries" in order to injure private factories.

The necessities for such reforms also lies in the fact that large private factory-owners often instigate their workmen against the government, perhaps, even unconsciously.

The populace engaged in local industries does not know the meaning of being "out of work," and this makes it cling to the existing order, and induces it to support the government. Unemployment is the greatest for the government. For us it will have done its work as soon as, by its means, we shall have obtained power.

Drunkenness will also be prohibited as a crime against humanity, and will be punishable as such; for man becomes equal to a beast under the influence of alcohol.

Nations only submit blindly to a strong power, which is absolutely independent of them and in whose hand they can see a sword, acting as a weapon of defence against all social insurrections. Why should they want their Sovereign to possess the soul of an angel? They must see in him the personification of strength and might.

A ruler must arise who will supersede the existing governments, which have been living upon a crowd, whose demoralisation we ourselves have brought about among flames of anarchy. Such a ruler must commence by extinguishing these flames, which are incessantly springing up from all sides.

In order to obtain such a result, he must destroy all societies which may be the origin of these flames, even if he has to shed his own blood. He must form a well-organised army, which will anxiously fight the infection of any anarchy, which may poison the body of the government.

Our Sovereign will be chosen by God and appointed from above in order to destroy all ideas influenced by instinct and not by reason, by brutal principles and not by humanity. At present these ideas successfully prevail in their robberies and violence under the banner of right and freedom.

Such ideas have destroyed all social organisations, thus leading to the reign of the King of Israel.

But their part will be played as soon as the reign of our Sovereign commences. Then we must sweep them away, so that no dirt should lie in our Sovereign's path.

Then we shall be able to say to the nations: "Pray to God and bow down before him who bears the mark of the predestination of the world and whose star God himself guided, in order that none other but Himself should be able to set humanity free from all sin."

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PROTOCOL XXIV

Now I will deal with the manner in which we will strengthen the dynasty of King David, in order that it may endure until the last day.

Our manner of securing the dynasty will consist chiefly of the same principles which have given to our wise men the management of the world's affairs, that is to say, the direction and education of the whole human race.

Several members of the seed of David will prepare Kings and their successors, who will be elected not by right of inheritance but by their own capabilities. These successors will be initiated in our secret political mysteries and plans of governing, taking great care that no one else should acquire them.

Such measures will be necessary in order that all should know that only those can rule who have been initiated in the mysteries of political art. Only such men will be taught how to apply our plans in practice by making use of the experience of many centuries. They will be initiated in the conclusions drawn from all our political and economical system and in all social sciences. In a word, they will be told the true spirit of the laws that have been founded by nature herself in order to govern mankind.

Direct successors to the sovereign will be superceded in the event of their proving to be frivolous or soft-hearted during their education, or in case they show any other tendency likely to be detrimental to their power, and which may render them incapable of ruling and even to be dangerous to the prestige of the crown.

Only such men as are capable of governing firmly, although perhaps cruelly, will be entrusted with the reins of government by our Elders.

In case of illness or loss of energy, our Sovereign will be obliged to hand over the reigns of government to those of his family who have proved themselves more capable.

The King's immediate plans and, still more, his plans for the future will not even be known to those who will be called his nearest councillors. Only our Sovereign, and the Three who initiated him, will know the future.

In the person of the Sovereign, who will rule with an unshakable will and control himself as well as humanity, the people will recognise as it were fate itself and all its human paths. None will know the aims of the Sovereign when he issues his orders, therefore none will dare to obstruct his mysterious path.

Of course, the Sovereign must have a head capable of dealing with our plans. Therefore he will not ascend the throne before his brain-power has been ascertained by our wise men.

In order that all his subjects should love and venerate their Sovereign, he must often address them in public. Such measures will bring the two powers into harmony, namely, that of the populace and that of the ruler, which we have separated in the Gentile countries by holding the one in awe of the other.

We had to hold these two powers in awe one of another in order that they, when once separated, should fall under our influence.

The King of Israel must not be under the influence of his own passions, especially that of sensuousness. He must not allow animal instincts to get the better of his brain. Sensuousness, more than any other passion, is certain to destroy all mental and foreseeing powers; it distracts men's

The Column of the Universe in the person of the World Ruler, sprung from the Holy seed of David, has to forgo all personal passions for the benefit of his people.

Our Sovereign must be irreproachable.

Signed by the representatives of Zion,
of the 33rd degree.

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Epilogue

These minutes were stealthily removed from a large book of notes on lectures. My friend found them in the safes at the headquarter offices of the Society of Zion, which is at present situated in France.

France compelled Turkey to grant various to the schools and religious institutions of all denominations, which will be under the protectorate of the French diplomacy in Asia Minor. Of course, these do not include the Catholic schools and institutions which were expelled from France by the late governments. This fact merely proves that the diplomacy of the Dreyfus schools is only anxious to protect the interests of Zion, and is working for the colonisation of Asia Minor by French Jews. Zion always knew how to acquire influence for itself by means of what the Talmud calls its "working brutes," by which it refers to the Gentiles in general.

According to the records of secret Jewish Zionism, Solomon and other Jewish learned men already, in 929 B.C., thought out a scheme in theory for a peaceful conquest of the whole universe by Zion.

As history developed, this scheme was worked out in detail and completed by men, who were subsequently initiated in this question. These learned men decided by peaceful means to conquer the world for Zion with slyness of the symbolic serpent, whose head was to represent the initiated into the plans of the Jewish administration, and the body of the serpent to represent the Jewish people--the administration was always kept secret, even from the Jewish nation itself. As this serpent penetrated into the hearts of the nations which it encountered, it got under and devoured all the non-Jewish power of these states. It is foretold that the snake has to finish its work, strictly adhering to the designed plan, until the course which it has to run is closed by the return of its head to Zion and until, by this means, the snake has completed its round of Europe and has encircled it--and until, by dint of enchaining Europe, it has encompassed the whole world. This it is to accomplish by using every endeavour to subdue the other countries by an economical conquest.

The return of the head of the serpent to Zion can only be accomplished after the power of all the Sovereigns of Europe has been laid low, that is to say, when by means of economic crises and wholesale destruction effected everywhere there shall have been brought about a spiritual demoralisation and a moral corruption, chiefly with the assistance of Jewish women masquerading as French, Italians, etc. These are the surest spreaders of licentiousness into the lives of the leading men at the heads of nations.

Women in the service of Zion act as a decoy for those who, thanks to them, are always in need of money, and therefore are always ready to barter their conscience for money. This money is in reality only lent by the Jews, for it quickly returns through the same women into the hands of bribing Jewry--but, through these transactions, slaves are bought to the cause of Zion.

It is natural for the success of such an undertaking that neither the public officials nor private individuals should suspect the part played by the women employed by Jewry. Therefore the directors of the cause of Zion formed, as it were, a religious caste--eager followers of the Mosaic law and of the statutes of the Talmud. All the world believed that the mask of the law of Moses is the real rule of life of the Jews. No one thought of investigating the effect of this rule of life, especially as all eyes were directed on the gold, which could be supplied by the caste and which gave this caste absolute freedom for its economical and political intrigues.

A sketch of the course of the symbolic serpent is as follows: Its first stage in Europe was in 429 B.C. Greece, where, in the time of Pericles, the serpent started eating into the power of that country. The second stage was in Rome in the time of Augustus about 69 B.C. The third in Madrid in the time of

Charles V. in 1552 A.D. The fourth in Paris about 1700, in the time of Louis XVI. The fifth in London from 1814 onwards (after the downfall of Napoleon). The sixth in Berlin in 1871 after the Franco-Prussian war. The seventh in St. Petersburg, over which is drawn the head of the serpent under the date of 1881.

All these states which the serpent traversed have had foundations of their constitutions shaken, Germany with its apparent power, forming no exception to the rule. In economic conditions England and Germany are spared, but only till the conquest of Russia is accomplished by the serpent, on which at present all its efforts are concentrated. The further course of the serpent is not shown on this map, but arrows indicate its next movement towards Moscow, Kieff, and Odessa.

It is now well known to us to what extent the latter cities form the centres of the militant Jewish race. Constantinople is shown as the last stage of the course. (Note that this map was drawn years before the Revolution in Turkey.) before it reaches Jerusalem.

Only a short distance still remains before the serpent will be able to complete its course by uniting its head to its tail.

In order to enable the serpent to pass easily over its, course, the following measures were taken by Zion with the purpose of recasting society and converting the labour classes. First of all the Jewish race was so organised that none should penetrate into it and thus disclose its secrets. God himself is supposed to have told the Jews that they were predestined to rule over the whole earth in the form of an indivisible Kingdom of Zion. They have been told that they are the only race which deserves to be called human, all the rest being intended to remain "working brutes" and slaves of the Jews, and that their object must be the conquest of the world and the erection of the throne of Zion over the universe. (See Sanh. 91. 21, 1051. [in the Talmud, web ed.])

The Jews were taught that they are Supermen, and that they must keep themselves apart from all other nations. These theories inspired the Jews with an idea of self-glorification, because they are by right the sons of God. (See Jihal 67, I ; Sanh. 58,2.)

The secluded mode of living of the race of Zion is strictly adhered to by the system of the "Kaghal," which compels every Jew to help his kinsman independent of the assistance which he receives from their local administrations, which screen the government of Zion from the eyes of those of the Gentile states, which, in their turn, always eagerly defend the Jewish self-government, erroneously regarding them as a purely religious sect. The above-mentioned ideas, instilled into the Jews, have also considerably influenced their material life.

When we read such works as "Gopayon," 14, page I; "Eben-Gaizar," 44, page 81; "XXXVI. Ebamot," 98;. "XXV. Ketubat," 36; "XXXIV. Sanudrip," 746; "XXX. Kadushin," 68A--which were all written in order to glorify the Jewish race, we see that they really treat all Gentiles as though they were beasts, created only serve them. They think that peoples, properties and their lives belong to the Jews and that God permits His chosen race to make what use they like of them.

According to their laws all their ill-treatment of the Gentile's is forgiven them on the day of their New Year, at which time also indulgence is given them to sin likewise in the coming year.

In order to excite the hatred of their people towards all Gentiles, the leaders of the Jews acted as "agents-provocateurs" in anti-Semitic risings by allowing the Gentiles to find out some of the secrets of the Talmud. Expressions of anti-Semitism were also very useful to the leading Jews, because they created compassion in hearts of some Gentiles towards the people who were being apparently ill-treated, thus enlisting their sympathies the side of Zion.

The anti-Semitism, which brought about persecutions of the lower orders among the Jews, helped their leaders to control and hold their kinsmen in subjection. This they could afford to do, because they always intervened at the right time and saved their fellow people. Note that the leaders of the Jews never suffered from anti-Semitic rising as regarded their personal belongings or their official position in their administration. This is not to be wondered at, as these heads themselves set the

"Christian bloodhounds" against the humbler Jews and the bloodhounds managed to keep their herds in order for them, and thereby helped to establish the solidity of Zion.

The Jews, in their own opinion, have already attained the position of a super-government over the whole world, and are now throwing away their masks.

Of course, the main conquering power of Zion always lay in their gold; therefore they only had to work in order to give a value to this gold.

The high price of gold is chiefly accounted for by gold currency; its accumulation in the hands of Zion is accounted for by the Jews being able to profit and make use of any serious international crisis in order to monopolise gold. This is proved by the history of the Rothschild family, published in Paris in the "Libre Parole."

By means of these crises the might of Capitalism was established under the banner of Liberalism and protected by cleverly thought-out economical and social theories. By giving these theories a scientific appearance the Elders of Zion obtained extraordinary success.

The existence of the balloting system always affords Zion an opportunity of introducing, by means of bribery, such laws as may suit its purpose. The form of Gentile government most after the Jews' own heart is a Republic, because with such they can the more easily manage to buy a majority and the republican system gives their agents and army of anarchists unlimited freedom. For this reason the Jews are such supporters of Liberalism and the stupid Gentiles, who are befooled by them, ignore the already evident fact that, under a republic there is no more freedom than under an autocracy; on the contrary, there exists an oppression of the few by the mob, which is always instigated by the agents of Zion.

According to the will of Montefiore, Zion spares no money or means in order to attain these ends. In our days all governments throughout the world, consciously or unconsciously, are subject to the orders of that great super-government which is Zion, because all their bonds are in the possession of the latter and all countries are indebted to the Jews to such an extent as never to be able to pay off their debts. All trade, commerce, as well as diplomacy, are in the hands of Zion. By means of its capital it enslaved all Gentile nations. By dint of intensified education on a material basis the Jew laid heavy chains on all the Gentiles, with which they have attached them to their super-government.

The end of national freedom is at hand, and therefore also individual liberty will come to an end, because true liberty cannot exist where the lever of money renders it possible for Zion to govern the mob and to reign over the more worthy and more reasonable portion of the community.

..."those that have ears to hear, let them hear."

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It will soon be four years since "the Protocols of the Elders of Zion" have been in my possession. God alone knows how numerous have been unsuccessful attempts which I have made in order to bring them to light or even to warn those who are in power and reveal to them the causes of the storm which hangs over apathetic Russia, who seems unfortunately to have lost all count of what is going on around her.

And only now, when I fear that it is too late, have I succeeded in publishing my work, in the hope that I may be able to warn those who still have ears to hear and eyes to see.

There is no room left for doubt. With all the might and terror of Satan, the reign of the triumphant King of Israel is approaching our unregenerate world; the King is born and the blood of Zion--the Anti-Christ--is near to the throne of universal power.

Events in the world are rushing with stupendous rapidity; dissensions, wars, rumours, famines, epidemics, and earthquakes--what was but yesterday impossible, has today become and accomplished fact. Days rush past, as it were for the benefit of the chosen people. There is no time to minutely enter into the history of humanity from the point of view of the revealed "mysteries of iniquity," to historically prove the influence which the "elders of Israel" have had on the misfortunes of humanity, to foretell the already approaching certain future of mankind or to disclose the final act of the world's tragedy.

The Light of Christ alone and that of His Holy Universal Church can penetrate into the Satanic depths and reveal the extent of their wickedness.

In my heart I feel that the hour has struck for summoning the Eighth Ecumenical Council to which, oblivious of the quarrels which have parted them for so many centuries, will congregate the pastors and representatives of the whole of Christianity, to meet the advent of the Anti-Christ.

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Appendix: A Call for Inquiry into "The Jewish Peril"

"THE JEWISH PERIL."

(*The Jewish Peril. Protocols of the Learned Elders of Zion.* London: Eyre and Spottiswoode. 1920.)

A DISTURBING PAMPHLET

Call for Inquiry

(From a Correspondent)

The London Times, May 8, 1920

Reprinted in, The Protocols and World Revolution: Including a Translation and Analysis of the "Protocols of the Meetings of the Zionist Men of Wisdom"

Small, Maynard & Company, Boston.
1920
pages 144-148
(no author or translator credit)

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THE *TIMES* HAS NOT YET NOTICED THIS SINGULAR LITTLE BOOK. Its diffusion is, however, increasing, and its reading is likely to perturb the thinking public. Never before have a race and a creed been accused of a more sinister conspiracy. We in this country, who live in good fellowship with numerous representatives of Jewry, may well ask that some authoritative criticism should deal with it, and either destroy the ugly "Semitic" bogy or assign their proper place to the insidious allegations of this kind of literature.

In spite of the urgency of impartial and exhaustive criticism, the pamphlet has been allowed, so far, to pass almost unchallenged. The Jewish Press announced, it is true, that the anti-Semitism of the "Jewish Peril" was going to be exposed. But save for an unsatisfactory article in the March 5 issue of the *Jewish Guardian*, and for an almost equally unsatisfactory contribution to the *Nation* of March 27, this exposure is yet to come. The article of the *Jewish Guardian* is unsatisfactory, because it deals mainly with the personality of the author of the book in which the pamphlet is embodied, with Russian reactionary propaganda, and the Russian secret police. It does not touch the substance of the "Protocols of the Learned Elders of Zion." The purely Russian side of the book and its fervid "Orthodoxy" is not its most interesting feature. Its author, Professor S. Nilus, who was a minor official

in the Department of Foreign Religions at Moscow, had, in all likelihood, opportunities of access to many archives and unpublished documents. On the other hand, the world-wide issue raised by the "Protocols" which he incorporated in his book and are now translated into English as "The Jewish Peril," cannot fail not only to interest, but to preoccupy. What are the theses of the "Protocols" with which, in the absence of public criticism, British readers have to grapple alone and unaided? They are, roughly:

(1) There is, and has been for centuries, a secret international political organization of the Jews.

(2) The spirit of this organization appears to be an undying traditional hatred of the Christian world, and a titanic ambition for world domination.

(3) The goal relentlessly pursued through centuries is the destruction of the Christian national States, and the substitution for them of an international Jewish dominion.

(4) The method adopted for first weakening and then destroying existing bodies politic is the infusion of disintegrating political ideas of carefully measured progressive disruptive force, from liberalism to radicalism, and socialism to communism, culminating in anarchy as a *reductio ad absurdum* of egalitarian principles. Meanwhile Jewry remains immune from these corrosive doctrines. "We preach Liberalism to the Gentiles, but on the other hand we keep our own nation in entire subjection" (page 55). Out of the welter of world anarchy, in response to the desperate clamour of distraught humanity, the stern, logical, wise, pitiless rule of "the King of the Seed of David" is to arise.

(5) Political dogmas evolved by Christian Europe, democratic statesmanship and politics, are all equally contemptible to the Elders of Zion. To them statesmanship is an exalted secret art, acquired only by traditional training, and imparted to a select few in the secrecy of some occult sanctuary. "Political problems are not meant to be understood by ordinary people; they can only be comprehended, as I have said before, by rulers who have been directing affairs for many centuries." (Protocol 13.2.)

(6) To this conception of statesmanship the masses are contemptible cattle, and the political leaders of the Gentiles, "upstarts from its midst as rulers, are likewise blind in politics." They are puppets, pulled by the hidden hand of the "Elders," puppets mostly corrupt, always inefficient, easily coaxed, or bullied, or blackmailed into submission, unconsciously furthering the advent of Jewish dominion.

(7) The Press, the theatre, stock exchange speculations, science, law itself, are, in the hands that hold all the gold, so many means of procuring a deliberate confusion and bewilderment of public opinion, demoralization of the young, and encouragement of the vices of the adult, eventually substituting, in the minds of the Gentiles, for the idealistic aspiration of Christian culture the "cash basis" and a neutrality of materialistic scepticism, or cynical lust for pleasure.

Such are the main theses of the "Protocols." They are not altogether new, and can be found scattered throughout anti-Semitic literature. The condensed form in which they are now presented lends them a new and weird force.

Incidentally, some of the features of the would-be Jewish programme bear an uncanny resemblance to situations and events now developing under our eyes. Professor Nilus's book was, undoubtedly, published in Russia in 1905. The copy of the original at the British Museum bears the stamp of August 10, 1906. This being so, some of the passages assume the aspect of fulfilled prophecies, unless one is inclined to attribute the prescience of the "Elders of Zion" to the fact that they really are the hidden instigators of these events. When one reads (page 8) that "it is indispensable for our plans that wars should not produce any territorial alterations," one is most forcibly reminded of the cry, "peace without annexations" raised by all the radical parties of the world, and especially in revolutionary Russia. And again:

We will create a universal economic crisis, by all possible underhand means and with the help of gold, which is all in our hands. Simultaneously we will throw on to the streets huge crowds of workmen throughout Europe. We will increase the wages, which will not help the workmen as, at the same time,

we will raise the price of prime necessities . . . it is essential for us at all costs to deprive the aristocracy of their lands. To attain this purpose, the best method is to force up rates and taxes. These methods will keep the landed interests at their lowest possible ebb. (Protocol 3.9., Protocol 6.7., Protocol 6.4.)

Nor can one fail to recognize Soviet Russia in the following:

...in governing the world the best results are obtained by means of violence and intimidation. ...In politics, we must know how to confiscate property without any hesitation, if by so doing we can obtain subjection and power. Our State, following the way of peaceful conquest, has the right of substituting for the terrors of war, executions less apparent and more expedient, which, are necessary to uphold terror, producing blind submission. . . . By new laws we will regulate the political life of our subjects as though they were so many parts of a machine. Such laws will gradually restrict all freedom and liberties allowed by the Gentiles. . . . It is essential for us to arrange that, besides ourselves, there should be in all countries nothing but a huge proletariat, so many soldiers and police loyal to our cause; . . . in order to demonstrate our enslavement of the Gentile Governments of Europe, we will show our power to one of them by means of crime and violence, that is to say, a reign of terror; . . . our programme will induce a third part of the populace to watch the remainder from a pure sense of duty or from the principle of voluntary service.

Bearing in mind when this was published, we see, fifteen years later, a government established in Russia of which a high percentage of the leaders are Jews, whose *modus operandi* follows the principles quoted, and whose mainstay is a Communist Party, which answers to the last quotation. We see this, and it seems uncanny. The trouble is that all this fosters indiscriminate anti-Semitism. That the latter is rampant in Eastern Europe is a fact. That its propaganda in France, England, and America is growing is a fact also. Do we want, and can we afford to add exacerbated race-hatred to all our political, social, and economic troubles? If not, the question of the "Jewish Peril" should be taken up and dealt with. It is far too interesting, the hypothesis it presents is far too ingenious, attractive, and sensational not to attract the attention of our none too happy and none too contented public. The average man thinks that there is something very fundamentally wrong with the world he lives in. He will eagerly grasp at a plausible "working hypothesis."

What are these "Protocols?" Are they authentic? If so, what malevolent assembly concocted these plans, and gloated over their exposition? Are they forgery? If so, whence comes the uncanny note of prophecy, prophecy in parts fulfilled, in parts far gone in the way of fulfilment? Have we been struggling these tragic years to blow up and extirpate the secret organization of German world dominion only to find beneath it another more dangerous because more secret? Have we, by straining every fibre of our national body, escaped a "Pax Germanica" only to fall into a "Pax Judaeica?" The "Elders of Zion," as represented in their "Protocols," are by no means kinder taskmasters than William II and his henchmen would have been.

All these questions, which are likely to obtrude themselves on the reader of the "Jewish Peril," cannot be dismissed by a shrug of the shoulders unless one wants to strengthen the hand of the typical anti-Semite and call forth his favourite accusation of the "conspiracy of silence." An impartial investigation of these would-be documents and of their history is most desirable. That history is by no means clear from the English translation. They would appear, from internal evidence, to have been written by Jews for Jews, or to be cast in the form of lectures, and notes for lectures, by Jews to Jews. If so, in what circumstances were they produced and to cope with what inter-Jewish emergency? Or are we to dismiss the whole matter without inquiry and to let the influence of such a book as this work unchecked?

End

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Syllabus

CENTRAL INTELLIGENCE AGENCY ET AL. v. SIMS ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 83–1075. Argued December 4, 1984—Decided April 16, 1985*

Between 1953 and 1966, the Central Intelligence Agency (CIA) financed a research project, code-named MKULTRA, that was established to counter Soviet and Chinese advances in brainwashing and interrogation techniques. Subprojects were contracted out to various universities, research foundations, and similar institutions. In 1977, respondents in No. 83–1075 (hereafter respondents) filed a request with the CIA under the Freedom of Information Act (FOIA), seeking, *inter alia*, the names of the institutions and individuals who had performed the research under MKULTRA. Citing Exemption 3 of the FOIA—which provides that an agency need not disclose "matters that are . . . specifically exempted from disclosure by statute . . . provided that such statute . . . refers to particular types of matters to be withheld"—the CIA declined to disclose the requested information. The CIA invoked, as the exempting statute referred to in Exemption 3, § 102(d)(3) of the National Security Act of 1947, which states that "the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure." Respondents then filed suit under the FOIA in Federal District Court. Applying, as directed by the Court of Appeals on an earlier appeal, a definition of "intelligence sources" as meaning only those sources to which the CIA had to guarantee confidentiality in order to obtain the information, the District Court held that the identities of researchers who had received express guarantees of confidentiality need not be disclosed, and also exempted from disclosure other researchers on the ground that their work for the CIA, apart from MKULTRA, required that their identities remain secret. The court further held that there was no need to disclose the institutional affiliations of the individual researchers whose identities were exempt from disclosure. The Court of Appeals affirmed this latter holding, but reversed the District Court's ruling with respect to which individual researchers satisfied "the need-for-confidentiality" aspect of its formula-

*Together with No. 83–1249, *Sims et al.* v. *Central Intelligence Agency et al.*, also on certiorari to the same court.

tion of exempt "intelligence sources." The Court of Appeals held that it was error automatically to exempt from disclosure those researchers to whom confidentiality had been promised, and that an individual qualifies as an "intelligence source" exempt from disclosure under the FOIA only when the CIA offers sufficient proof that it needs to protect its efforts in confidentiality in order to obtain the type of information provided by the researcher.

Held:

1. Section 102(d)(3) qualifies as a withholding statute under Exemption 3. Section 102(d)(3) clearly refers to "particular types of matters" within the meaning of Exemption 3. Moreover, the FOIA's legislative history confirms that Congress intended § 102(d)(3) to be a withholding statute under that Exemption. And the plain meaning of § 102(d)(3)'s language, as well as the National Security Act's legislative history, indicates that Congress vested in the Director of Central Intelligence broad authority to protect all sources of intelligence information from disclosure. To narrow this authority by limiting the definition of "intelligence sources" to sources to which the CIA had to guarantee confidentiality in order to obtain the information, not only contravenes Congress' express intention but also overlooks the practical necessities of modern intelligence gathering. Pp. 166–173.

2. MKULTRA researchers are protected "intelligence sources" within § 102(d)(3)'s broad meaning, because they provided, or were engaged to provide, information that the CIA needed to fulfill its statutory obligations with respect to foreign intelligence. To force the CIA to disclose a source whenever a court determines, after the fact, that the CIA could have obtained the kind of information supplied without promising confidentiality, could have a devastating impact on the CIA's ability to carry out its statutory mission. The record establishes that the MKULTRA researchers did in fact provide the CIA with information related to its intelligence function, and therefore the Director was authorized to withhold these researchers' identities from disclosure under the FOIA. Pp. 173–177.

3. The FOIA does not require the Director to disclose the institutional affiliations of the exempt researchers. This conclusion is supported by the record. The Director reasonably concluded that an observer who is knowledgeable about a particular intelligence research project, such as MKULTRA, could, upon learning that the research was performed at a certain institution, deduce the identities of the protected individual researchers. Pp. 177–181.

228 U. S. App. D. C. 269, 709 F. 2d 95, affirmed in part and reversed in part.

BURGER, C. J., delivered the opinion of the Court, in which WHITE, BLACKMUN, POWELL, REHNQUIST, STEVENS, and O'CONNOR, JJ., joined. MARSHALL, J., filed an opinion concurring in the result, in which BRENNAN, J., joined, *post*, p. 181.

Acting Assistant Attorney General Willard argued the cause for petitioners in No. 83–1075 and respondents in No. 83–1249. With him on the briefs were *Solicitor General Lee*, *Deputy Solicitor General Geller*, *David A. Strauss*, *Robert E. Kopp*, *Leonard Schaitman*, and *Stanley Sporkin*.

Paul Alan Levy argued the cause for respondents in No. 83–1075 and petitioners in No. 83–1249. With him on the briefs were *Alan B. Morrison* and *David C. Vladeck*.

CHIEF JUSTICE BURGER delivered the opinion of the Court.

In No. 83–1075, we granted certiorari to decide whether § 102(d)(3) of the National Security Act of 1947, as incorporated in Exemption 3 of the Freedom of Information Act, exempts from disclosure only those sources of intelligence information to which the Central Intelligence Agency had to guarantee confidentiality in order to obtain the information. In No. 83–1249, the cross-petition, we granted certiorari to decide whether the Freedom of Information Act requires the Agency to disclose the institutional affiliations of persons whose identities are exempt from disclosure as "intelligence sources."

I

Between 1953 and 1966, the Central Intelligence Agency financed a wide-ranging project, code-named MKULTRA, concerned with "the research and development of chemical, biological, and radiological materials capable of employment in clandestine operations to control human behavior."[1] The

[1] Final Report of the Select Committee to Study Government Operations with Respect to Intelligence Activities, S. Rep. No. 94–755, Book I, p. 389 (1976) (footnote omitted) (Final Report). MKULTRA began with a pro-

program consisted of some 149 subprojects which the Agency contracted out to various universities, research foundations, and similar institutions. At least 80 institutions and 185 private researchers participated. Because the Agency funded MKULTRA indirectly, many of the participating individuals were unaware that they were dealing with the Agency.

MKULTRA was established to counter perceived Soviet and Chinese advances in brainwashing and interrogation techniques. Over the years the program included various medical and psychological experiments, some of which led to untoward results.[2] These aspects of MKULTRA surfaced publicly during the 1970's and became the subject of executive and congressional investigations.[3]

On August 22, 1977, John C. Sims, an attorney, and Sidney M. Wolfe, M.D., the director of the Public Citi-

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posal from Richard Helms, then the Agency's Assistant Deputy Director for Plans. Helms outlined a special funding mechanism for highly sensitive Agency research and development projects that would study the use of biological and chemical materials in altering human behavior. MKULTRA was approved by Allen Dulles, then the Director of Central Intelligence, on April 13, 1953.

[2]Several MKULTRA subprojects involved experiments where researchers surreptitiously administered dangerous drugs, such as LSD, to unwitting human subjects. At least two persons died as a result of MKULTRA experiments, and others may have suffered impaired health because of the testing. See *id.*, at 392–408. This type of experimentation is now expressly forbidden by Executive Order. Exec. Order No. 12333, § 2.10, 3 CFR 213 (1982).

[3]See generally Final Report, at 385–422, 471–472; Report to the President by the Commission on CIA Activities Within the United States 226–228 (June 1975); Project MKULTRA, the CIA's Program of Research in Behavioral Modification: Joint Hearings before the Select Committee on Intelligence and the Subcommittee on Health and Scientific Research of the Senate Committee on Human Resources, 95th Cong., 1st Sess. (1977); Human Drug Testing by the CIA, 1977: Hearings on S. 1893 before the Subcommittee on Health and Scientific Research of the Senate Committee on Human Resources, 95th Cong., 1st Sess. (1977).

An internal Agency report by its Inspector General had documented the controversial aspects of the MKULTRA project in 1963. See Report of Inspection of MKULTRA (July 26, 1963).

zen Health Research Group,[4] filed a request with the Central Intelligence Agency seeking certain information about MKULTRA. Respondents invoked the Freedom of Information Act (FOIA), 5 U. S. C. § 552. Specifically, respondents sought the grant proposals and contracts awarded under the MKULTRA program and the names of the institutions and individuals that had performed research.[5]

Pursuant to respondents' request, the Agency made available to respondents all of the MKULTRA grant proposals and contracts. Citing Exemption 3 of the FOIA, 5 U. S. C. § 552(b)(3)(B),[6] however, the Agency declined to disclose the names of all individual researchers and 21 institutions.[7] Exemption 3 provides that an agency need not disclose "matters that are . . . specifically exempted from disclosure by statute . . . provided that such statute . . . refers to par-

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[4] Sims and Wolfe are the respondents in No. 83-1075 and the cross-petitioners in No. 83-1249. In order to avoid confusion, we refer to Sims and Wolfe as respondents throughout this opinion.

[5] Twenty years after the conception of the MKULTRA project, all known files pertaining to MKULTRA were ordered destroyed. Final Report, at 389-390, 403-405. In 1977, the Agency located some 8,000 pages of previously undisclosed MKULTRA documents. These consisted mostly of financial records that had inadvertently survived the 1973 records destruction. Upon this discovery, Agency Director Stansfield Turner notified the Senate Select Committee on Intelligence and later testified at a joint hearing before the Select Committee and the Subcommittee on Health and Scientific Resources of the Senate Committee on Human Resources. Although the Joint Committee was given a complete list of the MKULTRA researchers and institutions, the Committee honored the Agency's request to treat the names as confidential. Respondents sought the surviving MKULTRA records that would provide this information.

[6] The Agency also cited Exemption 6, 5 U. S. C. § 552(b)(6), which insulates from disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." This claim, rejected by the District Court and the Court of Appeals, is no longer at issue.

[7] The Agency tried to contact each institution involved in MKULTRA to ask permission to disclose its identity; it released the names of the 59 institutions that had consented. Evidently, the Agency made no parallel effort to contact the 185 individual researchers. See n. 22, *infra*.

ticular types of matters to be withheld." *Ibid.* The Agency relied on § 102(d)(3) of the National Security Act of 1947, 61 Stat. 498, 50 U. S. C. § 403(d)(3), which states that

> "the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure."

Dissatisfied with the Agency's limited disclosure, respondents filed suit under the FOIA, 5 U. S. C. § 552(a)(4)(B), in the United States District Court for the District of Columbia. That court ordered disclosure of the withheld names, holding that the MKULTRA researchers and affiliated institutions were not "intelligence sources" within the meaning of § 102(d)(3). 479 F. Supp. 84 (1979).

On appeal, the United States Court of Appeals concluded, as had the District Court, that § 102(d)(3) qualifies as a withholding statute under Exemption 3 of the FOIA. The court held, however, that the District Court's analysis of that statute under the FOIA lacked a coherent definition of "intelligence sources." Accordingly, it remanded the case for reconsideration in light of the following definition:

> "[A]n 'intelligence source' is a person or institution that provides, has provided, or has been engaged to provide the CIA with information of a kind the Agency needs to perform its intelligence function effectively, yet could not reasonably expect to obtain without guaranteeing the confidentiality of those who provide it." 206 U. S. App. D. C. 157, 166, 642 F. 2d 562, 571 (1980).

On remand, the District Court applied this definition and ordered the Agency to disclose the names of 47 researchers and the institutions with which they had been affiliated. The court rejected respondents' contention that the MKULTRA research was not needed to perform the Agency's intelligence function, explaining that

> "[i]n view of the agency's concern that potential foreign enemies could be engaged in similar research and the

> desire to take effective counter-measures, . . . [the Agency] could reasonably determine that this research was needed for its intelligence function." App. to Pet. for Cert. in No. 83–1075, pp. 22a–23a.

The court then turned to the question whether the Agency could show, as the Court of Appeals' definition requires, that it could not reasonably have expected to obtain the information supplied by the MKULTRA sources without guaranteeing confidentiality to them. The court concluded that the Agency's policy of considering its relationships with MKULTRA researchers as confidential was not sufficient to satisfy the Court of Appeals' definition because "the chief desire for confidentiality was on the part of the CIA." *Id.*, at 24a. The court recognized that some of the researchers had sought, and received, express guarantees of confidentiality from the Agency, and as to those held that their identities need not be disclosed. The court also exempted other researchers from disclosure on the ground that their work for the Agency, apart from MKULTRA, required that their identities remain secret in order not to compromise the Agency's intelligence networks in foreign countries. *Id.*, at 26a–27a, 30a–31a. Finally, the court held that there was no need to disclose the institutional affiliations of the individual researchers whose identities were exempt from disclosure; this withholding was justified by the need to eliminate the unnecessary risk that such intelligence sources would be identified indirectly. *Id.*, at 27a, 34a.

Both the Agency and respondents appealed. The Court of Appeals affirmed that part of the District Court's judgment exempting from disclosure the institutional affiliations of individual researchers found to be intelligence sources. However, it reversed the District Court's ruling with respect to which individual researchers satisfied "the need-for-confidentiality" aspect of its formulation of exempt "intelligence sources." 228 U. S. App. D. C. 269, 275, 709 F. 2d 95, 101 (1983).

At the outset, the court rejected the suggestion that it reconsider the definition of "intelligence sources." *Id.*, at 271, 709 F. 2d, at 97. The court then criticized the District Court for focusing its inquiry on whether the Agency had in fact promised confidentiality to individual researchers. The court held that the District Court's decision automatically to exempt from disclosure those researchers to whom confidentiality had been promised was erroneous; it directed the District Court on remand to focus its inquiry on whether the Agency offered sufficient proof that it needed to cloak its efforts in confidentiality in order to obtain the type of information provided by the researcher. Only upon such a showing would the individual qualify as an "intelligence source" exempt from disclosure under the FOIA.[8]

We granted certiorari, 465 U. S. 1078 (1984) and 467 U. S. 1240 (1984). We now reverse in part and affirm in part.

II

No. 83–1075

A

The mandate of the FOIA calls for broad disclosure of Government records.[9] Congress recognized, however, that

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[8] Judge Bork wrote a separate opinion, concurring in part and dissenting in part. He criticized the majority's narrow definition of "intelligence sources," urging in particular that there is "no reason to think that section 403(d)(3) was meant to protect sources of information only if secrecy was needed in order to obtain the information." 228 U. S. App. D. C., at 277, 709 F. 2d, at 103. He noted that "[i]t seems far more in keeping with the broad language and purpose of [§ 403(d)(3)] to conclude that it authorizes the nondisclosure of a source of information whenever disclosure might lead to discovery of what subjects were of interest to the CIA." *Ibid.* He also took issue with the majority's conclusion that the FOIA sometimes requires the Agency to break a promise of confidentiality it has given to an intelligence source. This is "not an honorable way for the government of the United States to behave," and would produce "pernicious results." *Id.*, at 276–277, 709 F. 2d, at 102–103.

[9] The Court has consistently recognized this principle. See, *e. g.*, *Baldrige v. Shapiro*, 455 U. S. 345, 352 (1982); *NLRB v. Robbins Tire &*

public disclosure is not always in the public interest and thus provided that agency records may be withheld from disclosure under any of the nine exemptions defined in 5 U. S. C. § 552(b). Under Exemption 3 disclosure need not be made as to information "specifically exempted from disclosure by statute" if the statute affords the agency no discretion on disclosure, § 552(b)(3)(A), establishes particular criteria for withholding the information, or refers to the particular types of material to be withheld, § 552(b)(3)(B).

The question in No. 83–1075 is twofold: first, does § 102(d)(3) of the National Security Act of 1947 constitute a statutory exemption to disclosure within the meaning of Exemption 3; and second, are the MKULTRA researchers included within § 102(d)(3)'s protection of "intelligence sources."

B

Congress has made the Director of Central Intelligence "responsible for protecting intelligence sources and methods from unauthorized disclosure." 50 U. S. C. § 403(d)(3). As part of its postwar reorganization of the national defense system, Congress chartered the Agency with the responsibility of coordinating intelligence activities relating to national security.[10] In order to carry out its mission, the Agency was expressly entrusted with protecting the heart of all intelligence operations—"sources and methods."

Section 102(d)(3) of the National Security Act of 1947, which calls for the Director of Central Intelligence to protect "intelligence sources and methods," clearly "refers to particular types of matters," 5 U. S. C. § 552(b)(3)(B), and thus qualifies as a withholding statute under Exemption 3. The "plain meaning" of the relevant statutory provisions is sufficient to resolve the question, see, *e. g.*, *Garcia* v. *United*

Rubber Co., 437 U. S. 214, 220 (1978); *EPA* v. *Mink*, 410 U. S. 73, 80 (1973).

[10] See, *e. g.*, H. R. Rep. No. 961, 80th Cong., 1st Sess., 3 (1947); S. Rep. No. 239, 80th Cong., 1st Sess., 1 (1947).

States, 469 U. S. 70, 75 (1984); *United States* v. *Weber Aircraft Corp.*, 465 U. S. 792, 798 (1984). Moreover, the legislative history of the FOIA confirms that Congress intended § 102(d)(3) to be a withholding statute under Exemption 3." Indeed, this is the uniform view among other federal courts.[12]

Our conclusion that § 102(d)(3) qualifies as a withholding statute under Exemption 3 is only the first step of the inquiry. Agency records are protected under § 102(d)(3) only to the extent they contain "intelligence sources and methods" or if disclosure would reveal otherwise protected information.

C

Respondents contend that the Court of Appeals' definition of "intelligence sources," focusing on the need to guarantee confidentiality in order to obtain the type of information desired, draws the proper line with respect to intelligence sources deserving exemption from the FOIA. The plain meaning of the statutory language, as well as the legislative history of the National Security Act, however, indicates that Congress vested in the Director of Central Intelligence very

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[11] See H. R. Rep. No. 94–880, pt. 2, p. 15, n. 2 (1976). See also H. R. Conf. Rep. No. 93–1380, p. 12 (1974); S. Conf. Rep. No. 93–1200, p. 12 (1974); S. Rep. No. 93–854, p. 16 (1974). For a thorough review of the relevant background, see *DeLaurentiis* v. *Haig*, 686 F. 2d 192, 195–197 (CA3 1982) *(per curiam)*.

Recently, Congress enacted the Central Intelligence Agency Information Act, Pub. L. 98–477, 98 Stat. 2209, exempting the Agency's "operational files" from the FOIA. The legislative history reveals that Congress maintains the position that § 102(d)(3) is an Exemption 3 statute. See, *e. g.*, H. R. Rep. No. 98–726, pt. 1, p. 5 (1984); S. Rep. No. 98–305, p. 7, n. 4 (1983).

[12] See, *e. g.*, *Miller* v. *Casey*, 235 U. S. App. D. C. 11, 15, 730 F. 2d 773, 777 (1984); *Gardels* v. *CIA*, 223 U. S. App. D. C. 88, 91, 689 F. 2d 1100, 1103 (1982); *Halperin* v. *CIA*, 203 U. S. App. D. C. 110, 113, 629 F. 2d 144, 147 (1980); *National Comm'n on Law Enforcement and Social Justice* v. *CIA*, 576 F. 2d 1373, 1376 (CA9 1978).

broad authority to protect all sources of intelligence information from disclosure. The Court of Appeals' narrowing of this authority not only contravenes the express intention of Congress, but also overlooks the practical necessities of modern intelligence gathering—the very reason Congress entrusted this Agency with sweeping power to protect its "intelligence sources and methods."

We begin with the language of § 102(d)(3). *Baldrige* v. *Shapiro*, 455 U. S. 345, 356 (1982); *Steadman* v. *SEC*, 450 U. S. 91, 97 (1981). Section 102(d)(3) specifically authorizes the Director of Central Intelligence to protect "intelligence sources and methods" from disclosure. Plainly the broad sweep of this statutory language comports with the nature of the Agency's unique responsibilities. To keep informed of other nations' activities bearing on our national security the Agency must rely on a host of sources. At the same time, the Director must have the authority to shield those Agency activities and sources from any disclosures that would unnecessarily compromise the Agency's efforts.

The "plain meaning" of § 102(d)(3) may not be squared with any limiting definition that goes beyond the requirement that the information fall within the Agency's mandate to conduct foreign intelligence. Section 102(d)(3) does not state, as the Court of Appeals' view suggests, that the Director of Central Intelligence is authorized to protect intelligence sources only if such protection is needed to obtain information that otherwise could not be acquired. Nor did Congress state that only confidential or nonpublic intelligence sources are protected.[13] Section 102(d)(3) contains no such limiting language. Congress simply and pointedly protected all sources

[13] Congress certainly is capable of drafting legislation that narrows the category of protected sources of information. In other provisions of the FOIA and in the Privacy Act, Congress has protected "confidential source[s]," sources of "confidential information," and sources that provided information under an express promise of confidentiality. See 5 U. S. C. §§ 552(b)(7)(D), 552a(k)(2) and (5).

of intelligence that provide, or are engaged to provide, information the Agency needs to perform its statutory duties with respect to foreign intelligence. The plain statutory language is not to be ignored. *Weber Aircraft Corp.*, *supra*, at 798.

The legislative history of § 102(d)(3) also makes clear that Congress intended to give the Director of Central Intelligence broad power to protect the secrecy and integrity of the intelligence process. The reasons are too obvious to call for enlarged discussion; without such protections the Agency would be virtually impotent.

Enacted shortly after World War II, § 102(d)(3) of the National Security Act of 1947 established the Agency and empowered it, among other things, "to correlate and evaluate intelligence relating to the national security." 50 U. S. C. § 403(d)(3). The tragedy of Pearl Harbor and the reported deficiencies in American intelligence during the course of the war convinced the Congress that the country's ability to gather and analyze intelligence, in peacetime as well as in war, must be improved. See, *e. g.*, H. R. Rep. No. 961, 80th Cong., 1st Sess., 3–4 (1947); S. Rep. No. 239, 80th Cong., 1st Sess., 2 (1947).

Congress knew quite well that the Agency would gather intelligence from almost an infinite variety of diverse sources. Indeed, one of the primary reasons for creating the Agency was Congress' recognition that our Government would have to shepherd and analyze a "mass of information" in order to safeguard national security in the postwar world. See *ibid.* Witnesses with broad experience in the intelligence field testified before Congress concerning the practical realities of intelligence work. Fleet Admiral Nimitz, for example, explained that "intelligence is a composite of authenticated and evaluated information covering not only the armed forces establishment of a possible enemy, but also his industrial capacity, racial traits, religious beliefs, and other related aspects." National Defense Establishment:

Hearings on S. 758 before the Senate Committee on Armed Services, 80th Cong., 1st Sess., 132 (1947) (Senate Hearings). General Vandenberg, then the Director of the Central Intelligence Group, the Agency's immediate predecessor, emphasized that "foreign intelligence [gathering] consists of securing all possible data pertaining to foreign governments or the national defense and security of the United States." *Id.*, at 497.[14]

Witnesses spoke of the extraordinary diversity of intelligence sources. Allen Dulles, for example, the Agency's third Director, shattered the myth of the classic "secret agent" as the typical intelligence source, and explained that "American businessmen and American professors and Americans of all types and descriptions who travel around the world are one of the greatest repositories of intelligence that we have." National Security Act of 1947: Hearings on H. R. 2319 before the House Committee on Expenditures in the Executive Departments, 80th Cong., 1st Sess., 22 (1947) (Closed House Hearings).[15] In a similar vein, General Vandenberg spoke of "the great open sources of information upon which roughly 80 percent of intelligence should be based," and identified such sources as "books, magazines, technical and scientific surveys, photographs, commercial analyses, newspapers, and radio broadcasts, and general information from

[14] Congressmen certainly appreciated the special nature of the Agency's intelligence function. For example, Representative Wadsworth remarked that the "function of [the Agency] is to constitute itself as a gathering point for information coming from all over the world through all kinds of channels." 93 Cong. Rec. 9397 (1947). Representative Boggs, during the course of the House hearings, commented that the Director of Central Intelligence "is dealing with all the information and the evaluation of that information, from wherever we can get it." National Security Act of 1947: Hearings on H. R. 2319 before the House Committee on Expenditures in the Executive Departments, 80th Cong., 1st Sess., 112 (1947).

[15] These hearings were held in executive session. The transcript was declassified in 1982. The Senate also held hearings behind closed doors. See S. Rep. No. 239, 80th Cong., 1st Sess., 1 (1947).

people with knowledge of affairs abroad." Senate Hearings, at 492.

Congress was also well aware of the importance of secrecy in the intelligence field. Both General Vandenberg and Allen Dulles testified about the grim consequences facing intelligence sources whose identities became known. See Closed House Hearings, at 10–11, 20. Moreover, Dulles explained that even American citizens who freely supply intelligence information "close up like a clam" unless they can hold the Government "responsible to keep the complete security of the information they turn over." *Id.*, at 22.[16] Congress was plainly alert to the need for maintaining confidentiality—both Houses went into executive session to consider the legislation creating the Agency—a rare practice for congressional sessions. See n. 15, *supra*.

Against this background highlighting the requirements of effective intelligence operations, Congress expressly made the Director of Central Intelligence responsible for "protecting intelligence sources and methods from unauthorized disclosure." This language stemmed from President Truman's Directive of January 22, 1946, 11 Fed. Reg. 1337, in which he established the National Intelligence Authority and the Central Intelligence Group, the Agency's predecessors. These institutions were charged with "assur[ing] the most effective accomplishment of the intelligence mission related to the national security," *ibid.*, and accordingly made "responsible

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[16] "Secrecy is inherently a key to successful intelligence operations. In the course of issuing orders for an intelligence mission, George Washington wrote to his agent:

"The necessity of procuring good intelligence, is apparent and need not be further urged. All that remains for me to add is, that you keep the whole matter as secret as possible. For upon secrecy, success depends in most Enterprises of the kind, and for want of it they are generally defeated . . . ." 8 Writings of George Washington 478–479 (J. Fitzpatrick ed. 1933) (letter from George Washington to Colonel Elias Dayton, July 26, 1777).

for fully protecting intelligence sources and methods," *id.*, at 1339. The fact that the mandate of § 102(d)(3) derives from this Presidential Directive reinforces our reading of the legislative history that Congress gave the Agency broad power to control the disclosure of intelligence sources.

III

A

Applying the definition of "intelligence sources" fashioned by the Congress in § 102(d)(3), we hold that the Director of Central Intelligence was well within his statutory authority to withhold the names of the MKULTRA researchers from disclosure under the FOIA. The District Court specifically ruled that the Agency "could reasonably determine that this research was needed for its intelligence function,"[17] and the Court of Appeals did not question this ruling. Indeed, the record shows that the MKULTRA research was related to the Agency's intelligence-gathering function in part because it revealed information about the ability of foreign governments to use drugs and other biological, chemical, or physical agents in warfare or intelligence operations against adversaries. During the height of the cold war period, the Agency was concerned, not without reason, that other countries were charting new advances in brainwashing and interrogation techniques.[18]

Consistent with its responsibility to maintain national security, the Agency reasonably determined that major research

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[17] App. to Pet. for Cert. in No. 88–1075, pp. 22a–23a.

[18] For example, Director of Intelligence Stansfield Turner explained in an affidavit that the MKULTRA program was initiated because the Agency was confronted with "learning the state of the art of behavioral modification at a time when the U. S. Government was concerned about inexplicable behavior of persons behind the 'iron curtain' and American prisoners of war who had been subjected to so called 'brainwashing.'" *Id.*, at 89a.

efforts were necessary in order to keep informed of our potential adversaries' perceived threat. We thus conclude that MKULTRA researchers are "intelligence sources" within the broad meaning of § 102(d)(3) because these persons provided, or were engaged to provide, information the Agency needs to fulfill its statutory obligations with respect to foreign intelligence.

Respondents' belated effort to question the Agency's authority to engage scientists and academic researchers as intelligence sources must fail. The legislative history of § 102(d)(3) indicates that Congress was well aware that the Agency would call on a wide range and variety of sources to provide intelligence. Moreover, the record developed in this case confirms the obvious importance of scientists and other researchers as American intelligence sources. Notable examples include those scientists and researchers who pioneered the use of radar during World War II as well as the group which took part in the secret development of nuclear weapons in the Manhattan Project. See App. 43; App. to Pet. for Cert. in No. 83–1075, p. 88a.[19]

B

The Court of Appeals narrowed the Director's authority under § 102(d)(3) to withhold only those "intelligence sources" who supplied the Agency with information unattainable without guaranteeing confidentiality. That crabbed reading of the statute contravenes the express language of § 102(d)(3), the statute's legislative history, and the harsh realities of the present day. The dangerous consequences of that narrowing of the statute suggest why Congress chose to vest the

[19] Indeed, the legislative history of the recently enacted Central Intelligence Agency Information Act, Pub. L. 98–477, 98 Stat. 2209, in which Congress exempted the Agency's "operational files" from disclosure under the FOIA, 50 U. S. C. § 431 (1982 ed., Supp. III), reveals Congress' continued understanding that scientific researchers would be valuable intelligence sources. See H. R. Rep. No. 98–726, pt. 1, p. 22 (1984).

Director of Central Intelligence with the broad discretion to safeguard the Agency's sources and methods of operation.

The Court of Appeals underestimated the importance of providing intelligence sources with an assurance of confidentiality that is as absolute as possible. Under the court's approach, the Agency would be forced to disclose a source whenever a court determines, after the fact, that the Agency could have obtained the kind of information supplied without promising confidentiality.[20] This forced disclosure of the identities of its intelligence sources could well have a devastating impact on the Agency's ability to carry out its mission. "The Government has a compelling interest in protecting both the secrecy of information important to our national security and the appearance of confidentiality so essential to the effective operation of our foreign intelligence service." *Snepp* v. *United States*, 444 U. S. 507, 509, n. 3 (1980) *(per curiam)*. See *Haig* v. *Agee*, 453 U. S. 280, 307 (1981). If potentially valuable intelligence sources come to think that the Agency will be unable to maintain the confidentiality of its relationship to them, many could well refuse to supply information to the Agency in the first place.

Even a small chance that some court will order disclosure of a source's identity could well impair intelligence gathering and cause sources to "close up like a clam." To induce some sources to cooperate, the Government must tender as absolute an assurance of confidentiality as it possibly can. "The continued availability of [intelligence] sources depends upon the CIA's ability to guarantee the security of information

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[20] Indeed, the Court of Appeals suggested that the Agency would be required to betray an explicit promise of confidentiality if a court determines that the promise was not necessary, or if a court concludes that the intelligence source to whom the promise was given was "unreasonably and atypically leery" of cooperating with the Agency. 228 U. S. App. D. C., at 273, 709 F. 2d, at 99. However, "[g]reat nations, like great men, should keep their word." *FPC* v. *Tuscarora Indian Nation*, 362 U. S. 99, 142 (1960) (Black, J., dissenting).

that might compromise them and even endanger [their] personal safety." *Snepp* v. *United States*, *supra*, at 512.

We seriously doubt whether a potential intelligence source will rest assured knowing that judges, who have little or no background in the delicate business of intelligence gathering, will order his identity revealed only after examining the facts of the case to determine whether the Agency actually needed to promise confidentiality in order to obtain the information. An intelligence source will "not be concerned with the underlying rationale for disclosure of" his cooperation if it was secured "under assurances of confidentiality." *Baldrige* v. *Shapiro*, 455 U. S., at 361. Moreover, a court's decision whether an intelligence source will be harmed if his identity is revealed will often require complex political, historical, and psychological judgments. See, *e. g.*, *Fitzgibbon* v. *CIA*, 578 F. Supp. 704 (DC 1983). There is no reason for a potential intelligence source, whose welfare and safety may be at stake, to have great confidence in the ability of judges to make those judgments correctly.

The Court of Appeals also failed to recognize that when Congress protected "intelligence sources" from disclosure, it was not simply protecting sources of secret intelligence information. As noted above, Congress was well aware that secret agents as depicted in novels and the media are not the typical intelligence source; many important sources provide intelligence information that members of the public could also obtain. Under the Court of Appeals' approach, the Agency could not withhold the identity of a source of intelligence if that information is also publicly available. This analysis ignores the realities of intelligence work, which often involves seemingly innocuous sources as well as unsuspecting individuals who provide valuable intelligence information.

Disclosure of the subject matter of the Agency's research efforts and inquiries may compromise the Agency's ability to gather intelligence as much as disclosure of the identities of intelligence sources. A foreign government can learn a great deal about the Agency's activities by knowing the

public sources of information that interest the Agency. The inquiries pursued by the Agency can often tell our adversaries something that is of value to them. See 228 U. S. App. D. C., at 277, 709 F. 2d, at 103 (Bork, J., concurring in part and dissenting in part). For example, disclosure of the fact that the Agency subscribes to an obscure but publicly available Eastern European technical journal could thwart the Agency's efforts to exploit its value as a source of intelligence information. Similarly, had foreign governments learned the Agency was using certain public journals and ongoing open research projects in its MKULTRA research of "brainwashing" and possible countermeasures, they might have been able to infer both the general nature of the project and the general scope that the Agency's inquiry was taking.[21]

C

The "statutory mandate" of § 102(d)(3) is clear: Congress gave the Director wide-ranging authority to "protec[t] intelligence sources and methods from unauthorized disclosure." *Snepp* v. *United States*, *supra*, at 509, n. 3. An intelligence source provides, or is engaged to provide, information the Agency needs to fulfill its statutory obligations. The record establishes that the MKULTRA researchers did in fact provide the Agency with information related to the Agency's intelligence function. We therefore hold that the Director was authorized to withhold the identities of these researchers from disclosure under the FOIA.

IV

No. 83–1249

The cross-petition, No. 83–1249, calls for decision on whether the District Court and the Court of Appeals cor-

[21] In an affidavit, Director of Central Intelligence Turner stated that "[t]hroughout the course of the [MKULTRA] Project, CIA involvement or association with the research was concealed in order to avoid stimulating the interest of hostile countries in the same research areas." App. to Pet. for Cert. in No. 83–1075, pp. 89a–90a.

rectly ruled that the Director of Central Intelligence need not disclose the institutional affiliations of the MKULTRA researchers previously held to be "intelligence sources." Our conclusion that the MKULTRA researchers are protected from disclosure under § 102(d)(3) renders unnecessary any extended discussion of this discrete issue.

In exercising the authority granted by Congress in § 102(d)(3), the Director must, of course, do more than simply withhold the names of intelligence sources. Such withholding, standing alone, does not carry out the mandate of Congress. Foreign intelligence services have an interest in knowing what is being studied and researched by our agencies dealing with national security and by whom it is being done. Foreign intelligence services have both the capacity to gather and analyze any information that is in the public domain and the substantial expertise in deducing the identities of intelligence sources from seemingly unimportant details.

In this context, the very nature of the intelligence apparatus of any country is to try to find out the concerns of others; bits and pieces of data "may aid in piecing together bits of other information even when the individual piece is not of obvious importance in itself." *Halperin* v. *CIA*, 203 U. S. App. D. C. 110, 116, 629 F. 2d 144, 150 (1980). Thus,

> "'[w]hat may seem trivial to the uninformed, may appear of great moment to one who has a broad view of the scene and may put the questioned item of information in its proper context.'" *Halkin* v. *Helms*, 194 U. S. App. D. C. 82, 90, 598 F. 2d 1, 9 (1978), quoting *United States* v. *Marchetti*, 466 F. 2d 1309, 1318 (CA4), cert. denied, 409 U. S. 1063 (1972).

Accordingly, the Director, in exercising his authority under § 102(d)(3), has power to withhold superficially innocuous information on the ground that it might enable an observer to discover the identity of an intelligence source. See, *e. g.*,

Gardels v. *CIA*, 223 U. S. App. D. C. 88, 91–92, 689 F. 2d 1100, 1103–1104 (1982); *Halperin* v. *CIA*, *supra*, at 113, 629 F. 2d, at 147.

Here the Director concluded that disclosure of the institutional affiliations of the MKULTRA researchers could lead to identifying the researchers themselves and thus the disclosure posed an unacceptable risk of revealing protected "intelligence sources."[22] The decisions of the Director, who must of course be familiar with "the whole picture," as judges are not, are worthy of great deference given the magnitude of the national security interests and potential risks at stake. It is conceivable that the mere explanation of why information must be withheld can convey valuable information to a foreign intelligence agency.

The District Court, in a ruling affirmed by the Court of Appeals, permitted the Director to withhold the institutional affiliations of the researchers whose identities were exempt from disclosure on the ground that disclosure of "the identities of the institutions . . . might lead to the indirect disclosure of" individual researchers. App. to Pet. for Cert. in No. 83–1075, p. 27a. This conclusion is supported by the record.[23] The Director reasonably concluded that an ob-

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[22] During the congressional inquiries into MKULTRA, then Director of Central Intelligence Turner notified the 80 institutions at which MKULTRA research had been conducted. Many of these institutions had not previously been advised of their involvement; Director Turner notified them as part of "a course of action [designed to] lead to the identification of unwitting experimental subjects." *Id.*, at 92a, n. 1. As a result of inquiries into the MKULTRA progam, many of these institutions disclosed their involvement to the public. Others advised the Agency that they had no objection to public disclosure. Director Turner disclosed the names of these institutions; he did not disclose the names of any institutions that objected to disclosure. See n. 7, *supra*.

[23] For example, an affidavit filed by an Agency operations officer familiar with MKULTRA stated that disclosure of the institutions at which MKULTRA research was performed would pose "a threat of damage to existing intelligence-related arrangements with the institutions or exposure of past relationships with the institutions." App. 27.

server who is knowledgeable about a particular intelligence research project, like MKULTRA, could, upon learning that research was performed at a certain institution, often deduce the identities of the individual researchers who are protected "intelligence sources." The FOIA does not require disclosure under such circumstances.

Respondents contend that because the Agency has already revealed the names of many of the institutions at which MKULTRA research was performed, the Agency is somehow estopped from withholding the names of others. This suggestion overlooks the political realities of intelligence operations in which, among other things, our Government may choose to release information deliberately to "send a message" to allies or adversaries.[24] Congress did not mandate the withholding of information that may reveal the identity of an intelligence source; it made the Director of Central Intelligence responsible only for protecting against *unauthorized* disclosures.

The national interest sometimes makes it advisable, or even imperative, to disclose information that may lead to the identity of intelligence sources. And it is the responsibility of the Director of Central Intelligence, not that of the judiciary, to weigh the variety of complex and subtle factors in determining whether disclosure of information may lead to an unacceptable risk of compromising the Agency's intelligence-gathering process. Here Admiral Turner, as Director, decided that the benefits of disclosing the identities of institutions that had no objection to disclosure outweighed the costs

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[24] Admiral Turner provided one well-known example of this phenomenon: "[D]uring the Cuban missile crisis, President Kennedy decided to release a great deal of sensitive intelligence information concerning Soviet missile installations in Cuba. It was clear, at that time, that the Soviets had to be told publicly that the United States Government had precise information on the extent of the Soviet threat in order to justify the strong countermeasures then taken by our Government." App. to Pet. for Cert. in No. 83-1075, p. 90a.

of doing so. But Congress, in § 102(d)(3), entrusted this discretionary authority to the Director, and the fact that Admiral Turner made that determination in 1978 does not bind his successors to make the same determination, in a different context, with respect to institutions requesting that their identities not be disclosed. See, *e. g.*, *Salisbury* v. *United States*, 223 U. S. App. D. C. 243, 248, 690 F. 2d 966, 971 (1982).

V

We hold that the Director of Central Intelligence properly invoked § 102(d)(3) of the National Security Act of 1947 to withhold disclosure of the identities of the individual MKULTRA researchers as protected "intelligence sources." We also hold that the FOIA does not require the Director to disclose the institutional affiliations of the exempt researchers in light of the record which supports the Agency's determination that such disclosure would lead to an unacceptable risk of disclosing the sources' identities.

Accordingly, we reverse that part of the judgment of the Court of Appeals regarding the disclosure of the individual researchers and affirm that part of the judgment pertaining to disclosure of the researchers' institutional affiliations.

It is so ordered.

JUSTICE MARSHALL, with whom JUSTICE BRENNAN joins, concurring in the result.

To give meaning to the term "intelligence source" as it is used in § 102(d)(3) of the National Security Act of 1947, the Court today correctly concludes that the very narrow definition offered by the Court of Appeals is incorrect.[1] That the

[1]The Court of Appeals defined an "intelligence source" as "a person or institution that provides, has provided, or has been engaged to provide the CIA with information of a kind the Agency needs to perform its intelligence function effectively, yet could not reasonably expect to obtain without guaranteeing the confidentiality of those who provide it." 206 U. S. App. D. C. 157, 166, 642 F. 2d 562, 571 (1980) *(Sims I)*.

Court of Appeals erred does not, however, compel the conclusion that the Agency's sweeping alternative definition is in fact the correct one.[2] The Court nonetheless simply adopts wholesale the Agency's definition of "intelligence source." That definition is mandated neither by the language or legislative history of any congressional Act, nor by legitimate policy considerations, and it in fact thwarts congressional efforts to balance the public's interest in information and the Government's need for secrecy. I therefore decline to join the opinion of the Court.

I

The Freedom of Information Act (FOIA or Act) established a broad mandate for disclosure of governmental information by requiring that all materials be made public "unless explicitly allowed to be kept secret by one of the exemptions . . . ." S. Rep. No. 813, 89th Cong., 1st Sess., 10 (1965). The Act requires courts to review *de novo* agency claims of exemption, and it places on the agency the burden of defending its withholding of information. 5 U. S. C. § 552(a)(4)(B). Congress, it is clear, sought to assure that the Government would not operate behind a veil of secrecy, and it narrowly tailored the exceptions to the fundamental goal of disclosure.

Two of these few exceptions are at issue in this case. The first, on which the Court focuses, is Exemption 3, which exempts information "specifically exempted from disclosure by statute," if the statute affords the agency no discretion on disclosure, § 552(b)(3)(A), establishes particular criteria for withholding the information, § 552(b)(3)(B), or refers to the particular types of material to be withheld, *ibid.* The Court

[2] The Court today defines an "intelligence source" as one that "provides, or is engaged to provide, information . . . related to the Agency's intelligence function," *ante*, at 177, and holds also that the Director may withhold, under this definition, information that might enable an observer to discover the identity of such a source. *Ante*, at 178.

quite rightly identifies § 102(d)(3) of the National Security Act as a statutory exemption of the kind to which Exemption 3 refers; that section places with the Director of Central Intelligence the responsibility for "protecting intelligence sources and methods from unauthorized disclosure."

A second exemption, known as Exemption 1, covers matters that are "(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order." 5 U. S. C. § 552(b)(1). This latter Exemption gives to the Executive Branch the authority to define material that will not be disclosed, subject of course to congressional amendment of the Exemption. Agency decisions to withhold are subject to *de novo* review in the courts, which must ascertain whether documents are correctly classified, both substantively and procedurally.

Exemption 1 is the keystone of a congressional scheme that balances deference to the Executive's interest in maintaining secrecy with continued judicial and congressional oversight. In the past, Congress has taken affirmative steps to make clear the importance of this oversight. See n. 5, *infra*. Exemption 1 allows the Government to protect from the scrutiny of this Nation's enemies classes of information that warrant protection, as long as the Government proceeds through a publicly issued, congressionally scrutinized, and judicially enforced executive order. See Hearing on Executive Order on Security Classification before the Subcommittee of the Committee on Government Operations of the House of Representatives, 97th Cong., 2d Sess. (1982) (Hearing).

Exemption 1 thus plays a crucial role in the protection of Central Intelligence Agency information. That the Court does not mention this Exemption even once, in the course of its lengthy analysis on the *policy* reasons for broadly inter-

preting the "intelligence source" provision, is extraordinary. By focusing myopically on the single statutory provision on which the Agency has chosen to rely in asserting its secrecy right, the Court rewards the Agency's decision not to invoke Exemption 1 in these cases.[3] Of course, the Agency may fairly assert any possible ground for decision, and it has no duty to select that which is narrowest. But the Court, intent to assure that important information is protected, today plays into the Agency's hands by stretching the "intelligence source" exception beyond its natural limit; it does so while simply ignoring the fact that the information sought could properly have been withheld on other grounds—on which the Agency chose not to rely. The cost of acceding to the Agency's litigation strategy, rather than undertaking a thorough analysis of the entire statutory scheme, is to mangle, seriously, a carefully crafted statutory scheme.

II

I turn, then, to consider in light of this statutory framework the Court's analysis of Exemption 3. After concluding that Exemption 3 incorporates § 102(d)(3) as a withholding provision, the Court sets out to define the term "intelligence source." First, it looks to the "plain meaning" of the phrase and concludes that an "intelligence source" is self-evidently the same as an "information source." *Ante*, at 169–170. Second, the Court looks to the legislative history. Pulling

[3] Indeed, these cases present a curious example of the Government's litigation strategy. Despite the repeated urging of the District Court, the Agency steadfastly refused to invoke Exemption 1 to withhold the information at issue. The lists of names of MKULTRA researchers were in fact once classified under an Executive Order and were therefore within the potential scope of Exemption 1, but the Agency elected to declassify them. See 479 F. Supp. 84, 88 (DC 1979). The District Court went so far as to postpone the effective date of its disclosure order, so the Agency could "act on the possibility of classifying the names of institutions and researchers which would otherwise be disclosable," *ibid.*, and thereby withhold the information under Exemption 1. The Agency refused to do so, however.

together pieces of testimony from congressional hearings on the need to establish a centralized agency to gather information, it concludes that Congress knew that the Agency would collect information from diverse sources, and that "Congress was plainly alert to the need for maintaining confidentiality" so as not to lose covert sources of information. *Ante*, at 172; see also Brief for Petitioners in No. 83–1075, pp. 18–21. Third, the Court chastises the Court of Appeals for adopting a "crabbed" reading of the statute and explains how, as a policy matter, the "forced disclosure of the identities of its intelligence sources could well have a devastating impact on the Agency's ability to carry out its mission." *Ante*, at 175; see also Brief for Petitioners in No. 83–1075, p. 31. The Court offers examples of highly sensitive information that, under the lower court's reading, might be disclosed. See *ante*, at 176–177; see also Brief for Petitioners in No. 83–1075, pp. 34–37.

Before this Court, the Agency argued against the lower court's definition of "intelligence source," substituted its own sweeping offering, and then recounted a litany of national security nightmares that would surely befall this Nation under any lesser standard; today the Court simply buys this analysis. But the Court thereby ignores several important facts. First, the holding today is not compelled by the language of the statute, nor by the legislative history on which the Court relies. Second, the Court of Appeals' definition is not the sole alternative to the one adopted by the Court today. Third, as noted, *supra*, other broad exemptions to FOIA exist, and a holding that this Exemption 3 exception does not apply here would in no way pose the risk of broad disclosure the Agency suggests. The Court's reliance on the Nation's national security interests is simply misplaced given that the "intelligence source" exemption in the National Security Act is far from the Agency's exclusive, or most potent, resource for keeping probing eyes from secret documents. In its haste to adopt the Agency's sweeping defini-

tion, the Court completely bypasses a considerably more rational definition that comports at least as well with the statutory language and legislative history, and that maintains the congressionally imposed limits on the Agency's exercise of discretion in this area.

To my mind, the phrase "intelligence source" refers only to sources who provide information either on an express or implied promise of confidentiality, and the exemption protects such information and material that would lead to disclosure of such information. This reading is amply supported by the language of the statute and its history.

First, I find reliance on "plain meaning" wholly inappropriate. The heart of the issue is whether the term "intelligence source" connotes that which is confidential or clandestine, and the answer is far from obvious. The term is readily susceptible of many interpretations, and in the past the Government itself has defined the term far less broadly than it now does before this Court. In testimony before the House Subcommittee on Government Operations on President Reagan's Exemption 1 Executive Order, Steven Garfinkel, Director of the Information Security Oversight Office, explained that the term "intelligence source" is narrow and does not encompass even all confidential sources of information:

> "[C]ertain of these sources are not 'intelligence sources.' They are not involved in intelligence agencies or in intelligence work. They happen to be sources of information received by these agencies in confidence." Hearing, at 204.

The current administration's definition of the term "intelligence source" as used in its Executive Order does not, of course, control our interpretation of a longstanding statute. But the fact that the same administration has read the phrase in different ways for different purposes certainly undercuts the Court's argument that the phrase has any single and readily apparent definition.

"[P]lain meaning, like beauty, is sometimes in the eye of the beholder," *Florida Power & Light Co.* v. *Lorion*, 470 U. S. 729, 737 (1985), and in an instance such as this one, in which the term at issue carries with it more than one plausible meaning, it is simply inappropriate to select a single reading and label it the "plain meaning." The Court, like the Government, argues that the statute does not say "confidential source," as it might were its scope limited to sources who have received an implied or express promise of confidentiality. See *ante*, at 169, and n. 13; Brief for Petitioners in No. 83–1075, p. 16. However, the statute also does not say "information source" as it might were it meant to define the class of material that the Court identifies. I therefore reject the Court's basic premise that the language at issue necessarily has but a single, obvious interpretation.

Nor does the legislative history suggest anything other than a congressional desire to protect those individuals who might either be harmed or silenced should their identities or assistance become known. The congressional hearings quoted by the Court, and by the Government in its brief, focus on Congress' concern about the "deadly peril" faced by intelligence sources if their identities were revealed, and about the possibility that those sources would "'close up like a clam'" without protection. See *ante*, at 172; Brief for Petitioners in No. 83–1075, p. 20. These concerns are fully addressed by preventing disclosure of the identities of sources who might face peril, or cease providing information, if their identities were known, and of other information that might lead an observer to identify such sources. That, to my mind, is the start and finish of the exemption for an "intelligence source"—one who contributes information on an implicit understanding or explicit assurance of confidentiality, as well as information that could lead to such a source.[4]

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[4]The fact that Congress established an Agency to collect information from anywhere it could does not mean that it sought through the phrase "intelligence source" to keep secret everything the Agency did in this

This reading of the "intelligence source" language also fits comfortably within the statutory scheme as a whole, as the Court's reading does not. I focus, at the outset, on the recent history of FOIA Exemption 1 and particularly on the way in which recent events reflect Congress' ongoing effort to constrain agency discretion of the kind endorsed today. The scope of Exemption 1 is defined by the Executive, and its breadth therefore quite naturally fluctuates over time. For example, at the time this FOIA action was begun, Executive Order 12065, promulgated by President Carter, was in effect. That Order established three levels of secrecy—top secret, secret, and confidential—the lowest of which, "confidential," was "applied to information, the unauthorized disclosure of which reasonably could be expected to cause identifiable damage to the national security." 3 CFR 191 (1979).

The Order also listed categories of information that could be considered for classification, including "military plans, weapons, or operations," "foreign government information," and "intelligence activities [and] sources." *Id.*, at 193. As it is now, nondisclosure premised on Exemption 1 was subject to judicial review. A court reviewing an Agency claim to withholding under Exemption 1 was required to determine *de novo* whether the document was properly classified and whether it substantively met the criteria in the Executive Order. If the claim was that the document or information in it contained military plans, for example, a court was required to determine whether the document was classified, whether it in fact contained such information *and* whether disclosure of the document reasonably could be expected to cause at least identifiable damage to national security. The burden was on the Agency to make this showing. At one time, this

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regard. Far from it, as the Court and the Agency both acknowledge, the early congressional expressions of concern about secrecy all focused on the need to maintain the anonymity of persons who would provide information only on an assurance of confidentiality.

Court believed that the Judiciary was not qualified to undertake this task. See *EPA* v. *Mink*, 410 U. S. 73 (1973), discussed in n. 5, *infra*. Congress, however, disagreed, overruling both a decision of this Court and a Presidential veto to make clear that precisely this sort of judicial role is essential if the balance that Congress believed ought to be struck between disclosure and national security is to be struck in practice.[5]

Today's decision enables the Agency to avoid making the showing required under the carefully crafted balance embodied in Exemption 1 and thereby thwarts Congress' effort to limit the Agency's discretion. The Court identifies two categories of information—the identity of individuals or entities, whether or not confidential, that contribute material related

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[5] In *EPA* v. *Mink*, 410 U. S. 73 (1973), the Court held that when an agency relied on Exemption 1, which at the time covered matters "specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy," 5 U. S. C. §552(b)(1) (1970 ed.), a reviewing court could affirm the decision not to disclose on the basis of an agency affidavit stating that the document had been duly classified pursuant to executive order. The Court held that *in camera* inspection of the documents was neither authorized nor permitted because "Congress chose to follow the Executive's determination in these matters." 410 U. S., at 81.

Shortly thereafter, Congress overrode a Presidential veto and amended the Act with the express purpose of overuling the *Mink* decision. Exemption 1 was modified to exempt only matters that are "(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) in fact properly classified pursuant to such Executive order." 5 U. S. C. §552(b)(1). In addition, Congress amended the judicial review language to provide that "the court shall determine the matter de novo, and may examine the contents of such agency records in camera to determine whether such records or any part thereof shall be withheld under any of the exemptions set forth in subsection (b) of this section, and the burden is on the agency to sustain its action." 5 U. S. C. §552(a)(4)(B). The legislative history unequivocally establishes that *in camera* review would often be necessary and appropriate. See S. Rep. No. 93–1200, p. 9 (1974).

to Agency information gathering, and material that might enable an observer to discover the identity of such a "source"—and rules that all such information is *per se* subject to withholding as long as it is related to the Agency's "intelligence function." The Agency need not even assert that disclosure will conceivably affect national security, much less that it reasonably could be expected to cause at least identifiable damage. It need not classify the information, much less demonstrate that it has properly been classified. Similarly, no court may review whether the source had, or would have had, any interest in confidentiality, or whether disclosure of the information would have any effect on national security. No court may consider whether the information is properly classified, or whether it fits the categories of the Executive Order. By choosing to litigate under Exemption 3, and by receiving this Court's blessing, the Agency has cleverly evaded all these carefully imposed congressional requirements.[6]

If the class thus freed from judicial review were carefully defined, this result conceivably could make sense. It could

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[6]The current Executive Order moves Exemption 1 a step closer to Exemption 3, given the manner in which the Court interprets the National Security Act exemption. Like its predecessor, the Order establishes three classification levels, but unlike the prior Order, the "confidential" classification no longer requires a reasonable possibility of *identifiable* damage. Instead, the label "confidential" now shall be applied to "information the unauthorized disclosure of which reasonably could be expected to cause damage to the national security." Exec. Order No. 12356, 3 CFR 166 (1983). In addition, the new Order not only lists "intelligence sources" as a category subject to classification, but it also creates a presumption that such information is confidential. This presumption shifts from the Agency the burden of proving the possible consequence to national security of disclosure. As a result, if the Agency defines "intelligence source" under the Executive Order as broadly as the Court defines the term in § 102(d)(3), the Agency need make but a limited showing to a court to invoke Exemption 1 for that material. In light of this new Order, the Court's avid concern for the national security consequences of a narrower definition of the term is quite puzzling.

mean that Congress had decided to slice out from all the Agency's possible documents a class of material that may always be protected, no matter what the scope of the existing executive order. But the class that the Court defines is boundless. It is difficult to conceive of anything the Central Intelligence Agency might have within its many files that might not disclose or enable an observer to discover something about where the Agency gathers information. Indeed, even newspapers and public libraries, road maps and telephone books appear to fall within the definition adopted by the Court today. The result is to cast an irrebuttable presumption of secrecy over an expansive array of information in Agency files, whether or not disclosure would be detrimental to national security, and to rid the Agency of the burden of making individualized showings of compliance with an executive order. Perhaps the Court believes all Agency documents should be susceptible to withholding in this way. But Congress, it must be recalled, expressed strong disagreement by passing, and then amending, Exemption 1. In light of the Court's ruling, the Agency may nonetheless circumvent the procedure Congress has developed and thereby undermine this explicit effort to keep from the Agency broad and unreviewable discretion over an expansive class of information.

III

The Court today reads its own concerns into the single phrase, "intelligence source." To justify its expansive reading of these two words in the National Security Act the Court explains that the Agency must be wary, protect itself, and not allow observers to learn either of its information resources *or of the topics of its interest*. "Disclosure of the subject matter of the Agency's research efforts and inquiries may compromise the Agency's ability to gather intelligence as much as disclosure of the identities of intelligence sources," *ante*, at 176, the Court observes, and the "intelligence source"

exemption must bear the weight of that concern as well. That the Court points to no legislator or witness before Congress who expressed a concern for protecting such information through this provision is irrelevant to the Court. That each of the examples the Court offers of material that might disclose a topic of interest, and that should not be disclosed, could be protected through other existing statutory provisions, is of no moment.[1] That the public already knows all about the MKULTRA project at issue in this case, except for the names of the researchers, and therefore that the Court's concern about disclosure of the Agency's "topics of interest" argument is not appropriate to this case, is of no consequence. And finally, that the Agency now has virtually unlimited discretion to label certain information "secret," in contravention of Congress' explicit efforts to confine the Agency's discretion both substantively and procedurally, is of no importance. Instead, simply because the Court can think of information that it believes should not be disclosed, and that might otherwise not fall within this exemption, the Court undertakes the task of interpreting the exemption to cover that information. I cannot imagine the canon of statutory construction upon which this reasoning is based.

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[1] For example, the Court suggests that disclosure of the fact that the Agency subscribes to an obscure but publicly available Eastern European technical journal "could thwart the Agency's efforts to exploit its value as a source of intelligence information." *Ante*, at 177; see Brief for Petitioners in No. 83–1075, p. 36. Assuming this method of obtaining information is not protected by Exemption 1, through an executive order, it would surely be protected through Exemption 3's incorporation of § 102(d)(3) of the National Security Act. That provision, in addition to protecting "intelligence sources," also protects "intelligence methods," and surely encompasses covert means of obtaining information, the disclosure of which might close access to certain kinds of information. Similarly, the fact that some unsuspecting individuals provide valuable intelligence information must be protected, see *ante*, at 176; Brief for Petitioners in No. 83–1075, p. 39, n. 15, but again, because it is a covert means of obtaining information, not because the "source" of that information needs or expects confidentiality.

Congress gave to the Agency considerable discretion to decide for itself whether the topics of its interest should remain secret, and through Exemption 1 it provided the Executive with the means to protect such information. If the Agency decides to classify the identities of nonconfidential contributors of information so as not to reveal the subject matter or kinds of interests it is pursuing, it may seek an Exemption 1 right to withhold. Under Congress' scheme, that is properly a decision for the Executive. It is not a decision for this Court. Congress has elsewhere identified particular types of information that it believes may be withheld regardless of the existence of an executive order, such as the identities of Agency employees, or, recently, the contents of Agency operational files. See 50 U. S. C. § 403g (exempting from disclosure requirements the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency); Central Intelligence Agency Information Act, Pub. L. 98–477, § 701(a), 98 Stat. 2209, 50 U. S. C. § 431 (1982 ed., Supp. III) (exempting the Agency's operational files from disclosure under FOIA). Each of these categorical exemptions reflects a congressional judgment that as to certain information, the public interest will always tip in favor of nondisclosure. In these cases, we have absolutely no indication that Congress has ever determined that the broad range of information that will hereinafter be enshrouded in secrecy should be inherently and necessarily confidential. Nevertheless, today the Court reaches out to substitute its own policy judgments for those of Congress.

IV

To my mind, the language and legislative history of § 102(d)(3), along with the policy concerns expressed by the Agency, support only an exemption for sources who provide information based on an implicit or explicit promise of confidentiality and information leading to disclosure of such sources. That reading of the "intelligence source" exemption poses no threat that sources will "clam up" for fear of

exposure, while at the same time it avoids an injection into the statutory scheme of the additional concerns of the Members of this Court. The Court of Appeals, however, ordered the release of even more material than I believe should be disclosed. Accordingly, I would reverse and remand this case for reconsideration in light of what I deem to be the proper definition of the term "intelligence source."

Richard Stallman's personal site.

https://stallman.org

For current political commentary, see the daily political notes.

RMS' Bio | The GNU Project

How I do my computing

My computer

I use a Thinkpad T400s computer, which has a free initialization program (libreboot) and a free operating system (Trisquel GNU/Linux). It was not sold that way by Lenovo, however; small businesses buy them used, recondition them, and install the free software. This is one of the computers endorsed by the FSF.

Before using such Thinkpads, I used the Lemote Yeeloong for several years. At the time, it was the only laptop one could buy that could run a free initialization program and a free operating system. But it was never sold with a free operating system.

Before that, I used an OLPC for some weeks. The OLPC uses a nonfree firmware blob for the WiFi, so I could not use the internal WiFi device. No big problem, I used an external WiFi adaptor.
I stopped using it because the OLPC project decided to make their machine support Windows, so I did not want to appear to endorse it by visibly carrying it around. I could have continued using it privately with its free software installation, but I had no need for another computer to use only privately.

The results that seemed likely, millions of children running Windows on the OLPC, have not occurred. Instead we see millions of children running Windows on the Intel Classmate, or nowadays a Chromebook that sends the child's personal data to Google.

Before that I used machines that ran completely free GNU/Linux systems but had nonfree BIOSes. I tried for about 8 years to find a way to avoid the nonfree BIOS in some commercial machine.

GNU/Linux distro

I do not have a preferred GNU/Linux distro. I recommend all the ethical distros — namely, those that are 100% free software.

I've chosen not to have any preferences among those ethical distros. In fact, I am not in a position to judge them on other criteria: even to try them all would be a lot work of that I have no need to do.

What I do on my computer

Mostly I use a text console, for convenience's sake. Most of my work is editing text and that is more efficient on a text console. On the text console, the touchpad can't cause me any trouble if I touch it by accident.

I do use X11 for tasks that need a graphical interface. I have no preferred graphical environment or window manager. Since my interest in using graphical environments is small, I don't want to spend time comparing them.

This is not an ethical issue, just my own personal preference. On the ethical level, I think it is important for free software to provide convenient free graphical user interface software, which is why the GNU Project launched three projects to develop that. The third, GNOME, was successful, so we never needed a fourth one.

I spend most of my time editing in Emacs. I read and send mail with Emacs using M-x rmail and C-x m. I have no experience with any other email client programs. In principle I would be glad to know about other free email clients, but learning about them is not a priority for me and I don't have time.

I edit the pages on this site with Emacs also, although volunteer helpers install the political notes and urgent notes. I have no experience with other ways of maintaining web sites. In principle I would be glad to know about other ways, but learning about them is low priority for me and I have other things to do.

How this site is maintained

This site is maintained in a very simple way. I edit the pages such as this one manually as HTML. I only know simple HTML; others who know more wrote the parts at the top and bottom of pages, and the more complex

formatting on the home page. Volunteer helpers install the political notes every day after receiving the text from me by email. A cron job "rolls over" the political notes page every two months. The photo galleries are generated with this perl script. The search feature on the site is done with this code.

An explanation of the concept of designing a "user experience" which also shows why I find it loathsome. This is why I want stallman.org to remain simple: not a "user experience" but rather a place where I present certain information, views and action opportunities to you.

Would you like to help do this? Write to rms at the site gnu.org.

How I use the Internet

- I have used the Internet since it first existed. I never used UUCP, though occasionally I sent emails to addresses that involved transmission via UUCP.

- I am careful in how I connect to the internet.

  Specifically, I refuse to connect through portals that would require me to identify myself, or to run any nontrivial nonfree Javascript code. I use LibreJS to prevent nonfree Javascript code from running..

  I don't mind giving an identity that isn't really me, in order to connect, if that works.

  I often connect in a person's home. The *person* of course knows who I am, but that does not bother me. What I would object to is putting my identity in a database that can be searched. I prevent that by changing my mac address at each location.

- I am careful in how I use the Internet.

  I generally do not connect to web sites from my own machine, aside from a few sites I have some special relationship with. I usually fetch web pages from other sites by sending mail to a program (see https://git.savannah.gnu.org/git/womb/hacks.git) that fetches them, much like wget, and then mails them back to me. Then I look at them using a web browser, unless it is easy to see the text in the HTML page directly. I usually try lynx first, then a graphical browser if the page needs it (using konqueror, which won't fetch from other sites in such a situation).

I occasionally also browse unrelated sites using IceCat via Tor. Except for rare cases, I do not identify myself to them. I think that is enough to prevent my browsing from being connected with me. IceCat blocks tracking tags and most fingerprinting methods.

I never pay for anything on the Web, because I cannot pay anonymously. Anything on the net that requires payment that would identify me, I don't do. (I made an exception for the fees for the stallman.org domain, since that is connected with me anyway.)

I avoid paying with credit cards generally. For freedom's sake, insist on paying cash. When a business pressures you to pay in an identified way, it's your chance to defend freedom by saying, "If you won't take my cash, no sale!"

- I would not mind paying for a copy of an e-book or music recording on the Internet if I could do so anonymously, and it treated me justly in other ways (no DRM or EULA). But that option almost never exists. I keep looking for ways to make it exist.

- For searching, I have mostly used DuckDuckGo for the past few years. It does work with JS disabled, but you have to follow a link before you search.

  I also sometimes use ixquick.com. My usual precautions should stop them from knowing it is me.

  I no longer use Google search, not even occasionally, because it sends me a broken CAPTCHA. I suspect the reason it tries to send me a CAPTCHA is that I am coming through Tor. I would answer the CAPTCHA if that worked, but it does not.

  I suspect that the reason the CAPTCHA is broken is that it depends on nonfree Javascript. I won't run that in my computer. I am not willing to let Google see where I am, so I won't bypass Tor. Therefore, I can't use Google search any more.

Social media

- I do not use any social networking sites because that way of working is inconvenient for me. That doesn't mean I think they are all unethical. Some are, some are not. Social networking sites raise their own set of ethical issues, completely different from the ethical issues of distributing software (free vs proprietary), and there are big differences between them.

I have a Twitter account called rmspostcomments, which I use to log in on other sites to post comments on articles. I never post on Twitter. Someone made an account stallman_feed which I'm told posts something about my political notes. Any other Twitter account that claims to be mine is an impostor.

The rms account on gnusocial.no repeats the political notes from this site, but I do not post on it directly. That site runs GNU Social.

Aside from those two, any account on a social networking site that says it is mine is an impostor.

I do not post on 4chan. I have nothing against it in principle, but I am told a lot of the posts nowadays are right-wing bigotry which I condemn totally. I have occasionally answered questions for interviews for 4chan, but I have never posted anything there. Any posting there that says it is by me is by an impostor.

- I have never had a Facebook account, or a Google+ account. Some impostor created a Facebook account using my name. The page is not mine. The Google+ account using my name is also not mine.

  I reject Facebook because it requires each used (i.e., person used by Facebook) to have just one account, which means that all the person's activities are grouped together. It also insists on knowing the person's usual name, and it is starting to demand a series of different photos.

  I am proud to identify myself when stating my views; I can afford to do that because I am in a fairly safe position. There are people who rationally fear reprisals (from employers, gangsters, right-wing extremists, or the state) if they sign their name to their views. For their sake, let's reject any social networking site which insists on connecting an account to a person's real identity.

  Of course, Facebook is bad for many other reasons as well.

  Google+ formerly required knowing the user's real name, but no longer. However, it does require identification in the form of a phone number. Meanwhile, Google+ has another unacceptable injustice: it requires running nonfree Javascript code to post a message.

E-mail service

People sometimes ask me to recommend an email service. The two ethical issues for an email service are (1) whether you can use it without running

any nonfree software (including nonfree Javascript code from the site), and (2) whether it respects your privacy.

For issue 1, see the FSF's page. On issue 2, I have no way to verify that any email service is satisfactory. Therefore, I have no recommendation to offer.

However, I can suggest that it may be wise to use an email service that is not connected with your search engine. That way you can be almost sure that your email contents don't influence your search results. You shouldn't identify yourself to your search engine in any case.

Programming languages

- The most powerful programming language is Lisp. If you don't know Lisp (or its variant, Scheme), you don't know what it means for a programming language to be powerful and elegant. Once you learn Lisp, you will see what is lacking in most other languages.

  Unlike most languages today, which are focused on defining specialized data types, Lisp provides a few data types which are general. Instead of defining specific types, you build structures from these types. Thus, rather than offering a way to define a list-of-this type and a list-of-that type, Lisp has one type of lists which can hold any sort of data.

  Where other languages allow you to define a function to search a list-of-this, and sometimes a way to define a generic list-search function that you can instantiate for list-of-this, Lisp makes it easy to write a function that will search any list — and provides a range of such functions.

  In addition, functions and expressions in Lisp are represented as data in a way that makes it easy to operate on them.

  When you start a Lisp system, it enters a read-eval-print loop. Most other languages have nothing comparable to `read', nothing comparable to `eval', and nothing comparable to `print'. What gaping deficiencies!

  While I love the power of Lisp, I am not a devotee of functional programming. I see nothing bad about side effects and I do not make efforts to avoid them unless there is a practical reason. There is code that is natural to write in a functional way, and code that is more natural with side effects, and I do not campaign about the question. I

limit my campaigning to issues of freedom and justice, such as to eliminate nonfree software from the world.

Lisp is no harder to understand than other languages. So if you have never learned to program, and you want to start, start with Lisp. If you learn to edit with Emacs, you can learn Lisp by writing editing commands for Emacs. You can use the Introduction to Programming in Emacs Lisp to learn with: it is free as in freedom, and you can order printed copies from the FSF.

You can learn Scheme (and a lot of deep ideas about programming) from Structure and Interpretation of Computer Programs by Abelson and Sussman. That book is now free/libre although the printed copies do not say so.

Please don't buy books (or anything) from Amazon!

- My favorite programming languages are Lisp and C. However, since around 1992 I have worked mainly on free software activism, which means I am too busy to do much programming. Around 2008 I stopped doing programming projects. As a result, I have not had time or occasion to learn newer languages such as Perl, Python, PHP or Ruby.

  I read a book about Java, and found it an elegant further development from C. But I have never used it. I did write some code in Java once, but the code was in C and Lisp (I simply happened to be in Java at the time ;-).

- By contrast, I find C++ quite ugly.

  The flaws of C++, as I recall from when I studied the matter around 1990, include syntax and semantics. As for syntax, its grammar is ambiguous, and it is gratuitously incompatible with C, which blocks the smooth upgrade path from C to C++.

  As for semantics, the abstract object facility of C++ is designed around the case where the real type of an object is known at compile time. However, in that case, abstract objects are equivalent to a naming convention for functions to call. The case where abstract objects add real power to a language is when the type is not known until run time. C++ does handle that, but it seems to be an afterthought, a poor relation.

  I suspect that I would find plenty of ugliness in the template library, but I don't know. That was added to C++ after I studied it.

- I skimmed documentation of Python after people told me it was fundamentally similar to Lisp. My conclusion is that that is not so. `read', `eval', and `print' are all missing in Python.

How to learn programming

First, read a textbook about programming in some language, then manuals for several programming languages including Lisp. If this makes natural intuitive sense to you, that indicates your mind is well-adapted towards programming.

If they don't make intuitive sense to you, I suggest you do something other than programming. You might be able to do programming to some degree with a struggle, but if you find it a struggle you won't be very good at it. What's the point of programming if it is a struggle instead of a fascination?

After that, you need to read the source code of real programs (or parts of them) and figure out what they do. Then start writing changes in them, to add features, or fix bugs if you can find out about specific bugs to fix. Ask some good programmers who are familiar with the code of those programs to read and critique your changes.

If you fix a bug in a free program that people are developing, the developers are likely to be glad to get fixes from you and will tell you the way to write them to make them good to install. Look at their TODO list for features you would like to implement. You will find it is a great satisfaction when the developers incorporate your changes.

Do this over and over and you will become good at developing software.

Please use your programming capability only for good, not for evil. Don't develop nonfree software, or service as a software substitute. Design systems not to collect personal information, and to allow anonymous use.

Non-free software issues

I firmly refuse to install non-free software or tolerate its installed presence on my computer or on computers set up for me.

However, if I am visiting somewhere and the machines available nearby happen to contain non-free software, through no doing of mine, I don't refuse to touch them. I will use them briefly for tasks such as browsing. This limited usage doesn't give my assent to the software's license, or make me responsible its being present in the computer, or make me the

possessor of a copy of it, so I don't see an ethical obligation to refrain from this. Of course, I explain to the local people why they should migrate the machines to free software, but I don't push them hard, because annoying them is not the way to convince them.

Likewise, I don't need to worry about what software is in a kiosk, pay phone, or ATM that I am using. I hope their owners migrate them to free software, for their sake, but there's no need for me to refuse to touch them until then. (I do consider what those machines and their owners might do with my personal data, but that's a different issue, which would arise just the same even if they did use free software. My response to that issue is to minimize those activities which give them any data about me.)

That's my policy about using a machine once in a while. If I were to use it for an hour every day, that would no longer be "once in a while" — it would be regular use. At that point, I would start to feel the heavy hand of any nonfree software in that computer, and feel the duty to arrange to use a liberated computer instead.

Likewise, if I were to ask or lead someone to set up a computer for me to use, that would make me ethically responsible for its software load. In such a case I insist on free software, just as if the machine were my own property.

As for microwave ovens and other appliances, if updating software is not a normal part of use of the device, then it is not a computer. In that case, I think the user need not take cognizance of whether the device contains a processor and software, or is built some other way. However, if it has an "update firmware" button, that means installing different software is a normal part of use, so it is a computer.

Skype (or any nonfree noninteroperable communication program) is a special case because of its network effect. Using Skype to talk with someone else who is using Skype is encouraging the other to use nonfree software. Doing so regularly is pressuring the other to use nonfree software. So I refuse to use Skype under any circumstances (See more information.)

Streaming medias and DRM issues

- Streaming media dis-services such as Netflix and Spotify require nonfree client programs that impose digital restrictions mechanisms (DRM) intended to stop the user from saving a copy of the data being streamed through her own computer. You should never use DRM that

you can't break, so you should not use these dis-services unless you can break their DRM.

An additional injustice of these and other streaming client programs is that they impose unjust contracts (EULAs) which restrict the user more strictly than copyright law itself. I do not agree to EULAs, period, and I urge you to join me in rejecting them.

These streaming dis-services are malicious technology designed to make people antisocial. (If you don't have a copy, you can't share copies.) Rejecting them is of the highest ethical priority.

A friend once asked me to watch a video with her that she was going to display on her computer using Netflix. I declined, saying that Netflix was such a threat to freedom that I could not treat it as anything but an enemy.

Out, out, damned Spotify! Flick off, Netflix!

- Every product with Digital Restrictions Management (DRM) is an attack on your freedom.

  Therefore, one should not buy or tolerate any product with DRM handcuffs unless one personally possesses the means to break the handcuffs. For instance, don't use encrypted DVDs unless you have DeCSS or another comparable free program. And never use a Bluray disk unless you find a way to break its handcuffs. Don't use the Amazon Swindle or other e-book readers that trample readers' freedoms. Don't use music or video streaming "services" that impose DRM. (If they require a nonfree client program, it is probably for DRM or some sort of surveillance of users.)

Miscellaneous

- I never used Unix (not even for a minute) until after I decided to develop a free replacement for it (the GNU system). I chose that design to follow because it was portable and seemed fairly clean. I was never a fan of Unix; I had some criticisms of it too. But it was ok overall as a model.

- In the mid 90s I had bad hand pain, so bad that most of the day I could only type with one finger. The FSF hired typists for me part of the day, and part of the day I tolerated the pain. After a few years I found out that this was due to the hard keys of my keyboard. I switched to a keyboard with lighter key pressure and the problem mostly went away.

My problem was not carpal tunnel syndrome: I avoid that by keeping my wrists pretty straight as I type. There are several kinds of hand injuries that can be caused by repetitive stress; don't assume you have the one you heard of.

- I find it bizarre that people use the term "coding" to mean programming. For decades, we used the word "coding" for the work of low-level staff in a business programming team. The designer would write a detailed flow chart, then the "coders" would write code to implement the flow chart. This is quite different from what we did and do in the hacker community -- with us, one person designs the program and writes its code as a single activity. When I developed GNU programs, that was programming, but it was definitely not coding.

  Since I don't think the recent fad for "coding" is an improvement, I have decided not to adopt it. I don't use the term "coding", except if I were talking about a business programming team which has coders.

- Why I coined the name POSIX.

Return to Richard Stallman's home page.

Please send comments on these web pages to *rms@gnu.org*.

Who is Kyle Odom?

Born and raised in North Idaho. Grew up in a loving family. Joined the Marine Corps after high school. Developed an interest in science. Went to school for a degree in Biochemistry. Won numerous scholarships and awards. Graduated Magna Cum Laude then got invited to a prestigious university to work on genetics.

Check my personal documents.

As you can see, I'm pretty smart. I'm also 100% sane, 0% crazy.

Why did he do it?

My life was ruined. Ruined by an intelligent species of amphibian-humanoid from Mars. I wish I was joking, keep reading.

- They were here long before we ever existed.
- Their technology is *millions* of years more advanced than ours. I've seen them do things that defy all comprehension.
- They have a massive breeding stock of humans, which they breed and control from birth. They use these 'humans' to live vicarious lives among us. They appear to be completely normal because they're good at imitating human behavior. (See Martian Technology for an explanation on this)
- The actual Martians live deep underground here and inside of the moon.
- They take control of 'wild' human beings and use them as sex slaves. Don't believe me? Ask President Obama to take a lie detector test on this one.
- They tried to take me, but they were unable to control my mind. They've been following me ever since.
- I tried everything to get my life back. I begged, bargained, and I threatened.
- Everything I tried to do was sabotaged.
- I attempted suicide twice, but they stopped me both times.
- My last resort was to take actions that would bring this to the public's attention.

Read My Story to learn what happened to me and why they targeted me.

My Story

SPRING 2014 - Moscow, ID

Everything started while I was at University of Idaho. Spring 2014 was my final semester and I was taking a heavy course load (see Transcript). I was very stressed due to the intensity of my schedule, so I searched for a way to cope. I discovered meditation, which seemed to help, so it became part of my daily routine. As I learned more about meditation, I became interested in consciousness and our ability to affect it. I kept working on my meditation techniques and began achieving extreme states of consciousness.

This continued until I encountered another being through meditation. It happened one night in February 2014 and it was the most profound experience I've ever had. I was lying in bed meditating then suddenly left my physical body. I entered a space that was completely dark and had no awareness of my physical boundaries/orientation. I felt very peaceful there until a blue light began to approach me. As the blue light got closer, I realized it was another being. Once I was in the being's presence, I felt an immediate sense of wrongdoing. It felt like I was being told "YOU SHOULDN'T BE HERE!" I instantly conceded and felt guilty, then I began to distance myself from the being. This had an impact on them and seemed to change their mind about me. The moment I began to distance myself from the being, I became overwhelmed by a feeling I can only describe as unconditional love. During this part of the experience, our minds became connected and I saw that the being was female. I then began to feel the most euphoric, comforting, and blissful feelings I have ever felt. It was incredibly powerful and life-altering.

Next thing I knew, I woke up. I had tears in my eyes and I couldn't get out of bed. I felt a profound sense of loss like I had just lost someone close to me. It was very painful. A few minutes later, the experience left my mind (against my will) and I went about my day. After that, I had no urge to meditate at all. Every time I even

thought about meditation, the thought was stripped from my mind. When I finally did try meditating again, I was unable to achieve anything. I didn't think much of it at the time, but I knew it wasn't going to improve. Ultimately, I decided to give up on meditation and just focus on my classes.

The remainder of the semester became exceedingly easy for me. It felt like I had tapped into some kind of power. I was exerting no mental effort even though the classes had been extremely difficult before. I also began to have complex thoughts and a depth of understanding I had never reached before.

About a month later, I started interviewing at the graduate schools I had applied to. Shortly after the interviews were done, I started receiving offers. I decided to accept the offer from Baylor College of Medicine to work on a PhD in Human Genetics. I was very excited about the opportunity to work at such a prestigious university. The future looked bright and I couldn't wait to get started.

JUL 2014 – OCT 2014 - Houston, TX

Everything changed once I started the program. The moment I arrived, I could see flaws in every professor's research. My mind was so expanded that I could instantly understand the implications of entire research projects. Because of this, I was able to see weaknesses in all the available projects. This caused me to become very concerned about what I was doing and I felt like I was wasting my time. I voiced my concerns to my advisor and he casually brushed them aside. He told me "Just have fun, it'll be fun". I kept trying to get motivated, but things continued to get worse. I started seeing flaws in the foundations of Genetics and other fields. It got to the point where I couldn't stop thinking about them. To make things worse, no one else seemed to care, which really bothered me. All these issues made it impossible for me to continue, so I decided to leave.

The day after I decided to leave, my life became a living hell. I couldn't sleep and my mind felt sapped. I was entirely at peace with my decision, so I knew something strange was happening to me. After a few days of this, two of the graduate students began reaching out to me. [redacted] and [redacted]. I barely knew them, so it seemed unusual they would contact me. When I went to see them, they both kept pointing their finger at me saying "pew pew" like they were shooting a gun. They did this over and over and I kept wondering what their problem was. (Months after I left Houston, I was told that [redacted] and [redacted] were not human. They were tasked with making me into "the next school shooter" as they called it. I imagine this is why many of our school shootings take place.)

Anyway, things slowly improved after I stopped talking with [redacted] and [redacted] but I was mentally exhausted. I tried to figure out what to do with my life, but I could hardly think. Eventually, I left Texas and started applying for jobs all over the country. A few months later, things took a strange turn.

OCT 2014 – AUG 2015 - CDA, ID

In Spring 2015, I finally secured an interview with a food company. I thought I was about to get something going with my life, but I was wrong. I couldn't sleep *at all* the night before my interview. I literally stayed awake the entire night, which had never happened to me before. I looked unrecognizable in the mirror the next morning and my mind felt sapped worse than it had in Houston. Needless to say, the interview didn't go well. I couldn't think and I had extreme difficulty with normal conversation. After the interview was over, I suddenly felt fine AND looked perfectly normal... I slept great that night then made my way to the airport the next morning.

This is where the story gets weird. On the plane ride back home, my seat was taken. I asked the flight attendant and she directed me to a new seat. Once I sat down, an older gentleman in front of me kept glancing back until he got my attention. As he kept looking back, my head began to hurt and tingle. The moment

my head began to hurt, his lips curled up into this evil looking smile. The pain and tingling in my head continued for the rest of the flight and got more intense as time went on. Every time I felt it, the man would start taking notes in a notepad. About halfway through the flight, someone else in front of me held up a newspaper that said "Psychic Reading" for like 5 minutes straight. It was blatantly obvious they were doing something to me, but I didn't know what. Once we landed, the older gentleman kept showing me his TracFone as if to say "Get one of these".

I had applied to several government agencies before this happened, so I thought this might be their way of contacting me. Out of curiosity, I decided to go and buy a TracFone. I checked it every day to see if anyone messaged or called. About a month later, I got a text message from a man named John Padula. He invited me to come to church at The Altar. It seemed like a strange place to be recruiting for government jobs, but I went anyway. After I got there and went inside, something felt very wrong. I felt as if my life was in danger and I became so uncomfortable I had to leave.

A couple days later, I started receiving text messages from Tim Remington. At first they were innocuous bible messages, but then he started threatening me. He sent messages talking about 'their power' and other things. He did all of this through bible verses so it would not look suspicious. I ignored everything until he sent one final text message, which simply said 'angels'. I thought nothing of it until helicopters started flying around my house all day and all night. At this point, I knew I was in trouble. I knew I needed to contact them, so I made an appointment to meet John Padula for coffee. Little did I know, he had no intention of meeting me.

After making the appointment to meet John, something very bizarre happened. I received the most unnatural [redacted] I've ever had. It felt like someone was manually pumping blood into my [redacted] I don't know how else to describe it. Immediately after that, a song began playing in my mind. The lyrics went: "Sister sister, he's just a plaything. We wanna make him stay up all night." I had never heard

this song before and I had no idea what it meant. I tried to ignore it and kept searching for jobs. A few minutes later, the song quit playing.

Nothing else happened until I tried to go to sleep that night. As soon as I got into bed, the song started again. "Sister sister, he's just a plaything. We wanna make him stay up all night." As it turned out, they weren't kidding. I got literally zero minutes of sleep that night. Every time I started to drift off, I was woken up violently then the song would play.

When the sun came up, I gave up on trying to sleep and got out of bed. I was relieved at first because the song had quit playing. I thought the torture was over until a voice entered my mind. The voice said: "You're going to be uncomfortable, all you have to do is breathe". I sat there wondering what this meant until the voice spoke again. It told me I was going to: "...be sacrificed like Jesus and get beheaded." This threw me into a complete panic. My heart began racing and I started to have a mental breakdown.

A few minutes later, some man knocked on my door. I answered and he gave me a pamphlet talking about "The Sacrifice of Jesus". My mind started racing out of control and I became completely delirious. I thought for sure I was going to die. My thoughts shifted to my family, and all I could think about was seeing them again. They were in Albuquerque at the time, so I decided to buy a one-way ticket there.

When I reached the Spokane airport, my panic subsided. Everything was fine until I got on the plane to Albuquerque. I sat next to this huge man who kept telling me (telepathically) that he was going to crash the plane. Every time after he spoke he would sniff emphatically. I didn't know what to do, so I just sat there trying to stay as calm as possible. The 'man' became angry about this and started touching my leg. The second he touched me, I could feel him inside my mind. This caused me to panic until I was on the verge of causing a scene. Before I did anything, he told me to calm down and said: "You did a great job. You passed! Go enjoy your family. We have

a job waiting for you when you get back." I thanked him and felt slightly relieved, but I had no intention of contacting him at all. My only thought was to get as far away from him as possible.

After getting off the plane, I headed to the baggage claim. A huge group of them surrounded me there. I watched them cautiously, then they all began sniffing at me. (The sniff is something they do all the time. I think it has something to do with dominance.) When I finally got my bag, I left the airport as fast as I could. My parents were right outside waiting to pick me up. I was *so* happy to see them again. I gave them big hugs and told them how much I loved them. This was my last happy moment in Albuquerque, however. They followed us everywhere we went after that. Whenever I saw one, they would sniff at me to let me know it was them. They would also smile, laugh, and stick their tongues out.

As time went on, they started coaxing me to go outside alone. I was scared to death they would kill me, so I refused. Eventually, they threatened to harm my family, which caused me to give in to them. I told them I would do whatever they want if they left my family alone. They responded by saying "Go to church." I knew they meant The Altar, so I agreed to go when I got back.

When I went to The Altar for the first time, the people acted very strange. It was unhuman. As I walked into the sermon room, everyone stared at me and began sniffing emphatically. Needless to say, I was scared as hell, but I took a seat. When the service began, a man came and sat down next to me. After he sat down, I began smelling something. It was a smell I had never smelt before. The only thing I can compare it to is a reptile and vinegar. After smelling it, I became very uncomfortable. I tried to remain calm and just sat there quietly until the service was over. When the service ended, they said: "You can leave now". After that, I knew I wasn't dealing with the government anymore. I realized that whoever I was dealing with was extraterrestrial, so I became very scared.

I received no further instructions from them after that, so I began applying for jobs again. Even though I had done exactly as I was told, they still followed me everywhere I went. As time went on, they started harassing me day and night. I began to hear voices more often and I began to hallucinate things that I knew weren't real. They also started playing with me sexually. Both the males and the females would play out their sexual fantasies in my mind. This came with random and uncontrollable [redacted] as well as extreme [redacted] stimulation. (See Brain & Behavior & Martian Tech)

The harassment continued for weeks and intensified as time went on. I did my absolute best to maintain my sanity and tried to avoid them. This worked for a while, but eventually I had a huge meltdown. One day, I was in the bakery at Safeway when I got surrounded by a bunch of old men. Some of them looked at me and sniffed, so I knew it was them. They started stimulating my [redacted] and [redacted] simultaneously, then they spoke aggressively. They said:

"Humans are nothing more than the result of a successful genetic experiment."

"You are a threat to the way these people think and you can no longer be free in society."

"Your life is over"

"You are nothing but a toy. Your purpose now is to suck ([redacted])."

They continued to say other explicit things that were so obscene I won't repeat them here. Before they finished talking, I became enraged. It took every ounce of willpower I had not to kill them. I left the store and tried to calm down but it only got worse. The rest of the night they continually stimulated [redacted] and I couldn't stop [redacted] It got to the point where I was in serious pain. They finally stopped after I broke down and became completely distraught. I knew I couldn't take any more, so I attempted suicide. I filled a charcoal grill with lit coals, put it in my car and rolled up the windows. I reclined my seat, laid there calmly, then fell

asleep. I should have died but they woke me up in an *extreme* panic, which caused me to get out of the car.

As I slowly regained consciousness, I felt very upset to still be alive. I had no clue where to go at that point, so I decided to check myself into the VA. They shipped me straight to the mental ward and I was admitted. Nothing improved while I was there. The medication they gave me did absolutely nothing. I just sat there surrounded by a bunch of psychotic people and became exasperated. I knew their goal was to ruin my life by making me into a crazy person. I became determined not to let that happen and I started fighting back.

After leaving the VA, everything I tried to do with my life was sabotaged. They didn't want me dead, but they also weren't going to let me live. In desperation, I went back to The Altar to ask them what they wanted from me. I didn't know what else to do...

(Before I tell you their reply, I need to make an important caveat here. I had endured so much abuse by this time that I was numb to them. The details of what they've done to me aren't essential to the story, so I won't include them here. If you want to know more about what I've been through, or more about them, write me. Just realize I've been tortured more than a POW.)

Their response was: "We want you as our sex slave." Thinking they were serious, I sat there waiting for them to do something. All they did was say: "Keep coming to church", so I did. After a few more services, I found myself talking to Tim Remington face to face. He was telling me that I should consider becoming a minister. We were in mid conversation when he suddenly revealed himself to me. I have no clue how he did it, but it looked as if his human face became his real face. It happened for only 1-2 seconds, but I was able to draw a sketch of what I saw. His eyes really stood out so they captured my attention. They were huge and bulging, the eyelids were darker green, and the irises were yellow/brown with slit pupils. After witnessing this, nothing else happened. I continued attending The Altar for a few more services waiting for them to do something. They did nothing except for tell

me to "submit" and "surrender". I had no clue what they meant, so I left the church and never went back.

AUG 2015 - PRESENT TIME - CDA, ID

After leaving The Altar, they gave me some breathing room. They held back on their harassment and I began to recover. I decided to make one final attempt at a normal life by pursuing a career as a pharmacist. I started taking classes at NIC to finish up the pre-req's I needed. I also started volunteering at a local pharmacy. Unfortunately, they followed me to school. There were several of them in every class I took. They made it impossible for me to study, and they continually harassed me especially while I took tests. Even with all of this going on, I still somehow managed to get an A- in A&P during the fall semester.

Sadly, my success was short lived. The pressure this semester (Spring 2016) is FAR too intense. Every time I go to class, they start manipulating my brain until I go into a blind rage. Sometimes they suppress my brain until I begin to blackout. They also manipulate my heart rate and flood my body with adrenaline over and over again making me extremely uncomfortable. The females stimulate [redacted] when they are close, and the males stimulate [redacted] It's incredibly exhausting.

I struggled to pass my tests so they couldn't blame this on me failing out of school. I want to continue, but I simply cannot. Every moment I spend in the classroom is absolute torture. The classes themselves are extremely difficult *without* all this added pressure. The worst part is I received an interview for ISU's pharmacy program (see personal documents). Since I cannot continue with the classes, there is no reason to go to the interview. My chance at a normal life has been ruined. They've also been depriving me of sleep, so I don't have the strength to continue.

I was too smart for my own good, so they decided to remove me from society. They were worried I might change the way other people think, which could lead to

problems. Problems in the form of scientific revolutions. If we get much smarter as a species, we are going to become a threat to their existence.

If you talk to me in person, you will see that I'm not crazy at all. The Martians are just so good at hiding in plain sight that no one would know they exist unless they revealed themselves. They are able to fool us so well that what I'm saying sounds impossible. However, they are 100% real. Realize their technology is *millions* of years more advanced than ours. Think about that for a second. Think about the advancement we have made in the last 100 years. Once you've done that, try to imagine what *millions* of years of technology would look like.

The President is well aware of them, which is why I wrote him a personal letter. I hope he does something about it. I have done nothing wrong to deserve what's happened to me. I tried literally everything to find a job, and they sabotaged me at every corner. Initially, I thought the right thing to do was kill myself. After attempting suicide twice, it became clear they weren't going to let me die easy.

My last resort was to take actions to bring this to the public's attention. I hope something good comes of it. Just realize that I'm a good person, and I'm completely innocent. Also realize that the 'people' I killed are not what you think. (Read Martian Technology to understand)

To make it very clear, Tim & John were NOT wild human beings.

Wild Humans = normal people like you and I.

Tim and John = minds were controlled from birth by Martians.

It's hard to imagine I know. Nonetheless, it's all true. Why would I give up a career as a pharmacist to do this?

I left out many details from my story. I wanted to write only the most critical events in order to make it coherent. If you want to know more, like how I discovered there are multiple species of them, feel free to write me.

Q&A

Why would aliens hide in a church?

Same reason terrorists hide in Mosques. If you're doing very bad things and you want to avoid getting caught, you will put up a front to make yourself look like a good person.

How do you know about their technology?

I have seen them use it, and they have talked to me about it. This was how I learned about their breeding stock of remote control humans. Physically, their humans are no different than us, they just lack a mind of their own.

Why would they tell you so much?

They value me because I'm smart. They were also very confident they could take control of my mind. Turns out they couldn't. Anyway, in the interim, some of us developed a personal relationship. They are very arrogant, so they told me much more than they should have. This allowed me to understand some of the things they can do.

What else have you seen?

I have seen them make things appear out of nowhere. One time I was sitting on a couch and a dollar bill appeared on my lap. Another time while driving, they made a paper bag appear in my passenger seat. They used random unsuspecting items so no one would think anything of it. I was alone both times this happened.

I'm pretty sure they can pop in and out of this dimension based on other things I've seen. I'm also pretty sure they can overlap our reality with an alternate dimension. I say this because I have gone into stores (where I know the employees) and suddenly there are all new employees who I've never seen before.

Some of the other things I've seen are so strange I literally cannot describe them. This all makes sense though. Their technology is millions of years ahead of ours, so it *should* be incomprehensible to us.

Why did they target you?

They started following me after I encountered the being through meditation. Since my mind was so expanded from the experience, they deemed me a threat to the rest of society. They thought I would change the way people think, so they decided to remove me from society.

I began to have profound thoughts about Genetics while I was at graduate school, which is another factor. If certain ways of thinking are allowed to exist, revolutions will take place. They could not afford for us to have a revolution in Genetics. If we did, we could eliminate diseases, cancers, and many other things that plague us. They need us to remain ignorant and continue struggling, otherwise we will become a threat to them.

(This will not make sense unless you are the President or one of his close friends. If this doesn't pertain to you, please ignore it)

Mr. President,

- I want to thank you for your sacrifice to this country.
- It's very upsetting to hear you talk about the things they do to you. Why do you let them?
- I suppose you have no other choice.
- I've been struggling with them myself for over a year now.
- I had nothing to lose, so I chose this instead. I could never tolerate that much abuse.
- I hope you don't take any of their threats too seriously. Everything is a game to them.
- Realize they consider the entire human race a plaything, including you.
- They brag to me about what they do to you.....
- I'm sure you already know, but he doesn't love you. Their brains don't even work that way.
- I don't know you personally, but they've shown me a lot about you. You're an amazing person.
- I hope you stop letting them humiliate you. Why be afraid to retaliate? Kennedy wasn't.
- It's time *someone* took a stand to end this nonsense. Can you think of a better legacy than that?
- What's worse: Having everyone know the reality of the situation, or watching some of our best and brightest become slaves?

I wish you the very best with the remainder of your presidency.

If you're still in there, stay strong!

https://www.youtube.com/watch?v=61Wm_qlVD4Q

Martian Brain & Behavior

I've observed their behavior for almost a year now. Consequently, I've been able to make several deductions about them. The first deduction is based on their primary characteristics, which include:

1. They are hypersexual
2. They are hyperaggressive
3. They are fearful and paranoid

In the human brain, the amygdala is responsible for all of these characteristics. Therefore, Martian's must have an analogous structure, and it must be greatly enlarged. The morphology of their brain is also markedly different than ours. I know this because I've seen what the amphibian-humanoids look like.

The males are *extremely* aggressive. In their society there is only one thing, and that is power. Whoever is the smartest, biggest, and strongest wins. One time, I was talking to a young male who kept trying to intimidate/scare me. He saw that I was still confident in myself and immediately became discouraged. He stopped what he was doing and said "you think you're better than me", then hung his head and walked away. I told him that wasn't true but he wouldn't listen. After this, every time I encountered one of the males in public they would attack me (mentally) until they destroyed my self-esteem. They did this because they are scared to death of my intelligence. The only way they have the confidence to talk with me is if I'm scared for my life or completely despondent.

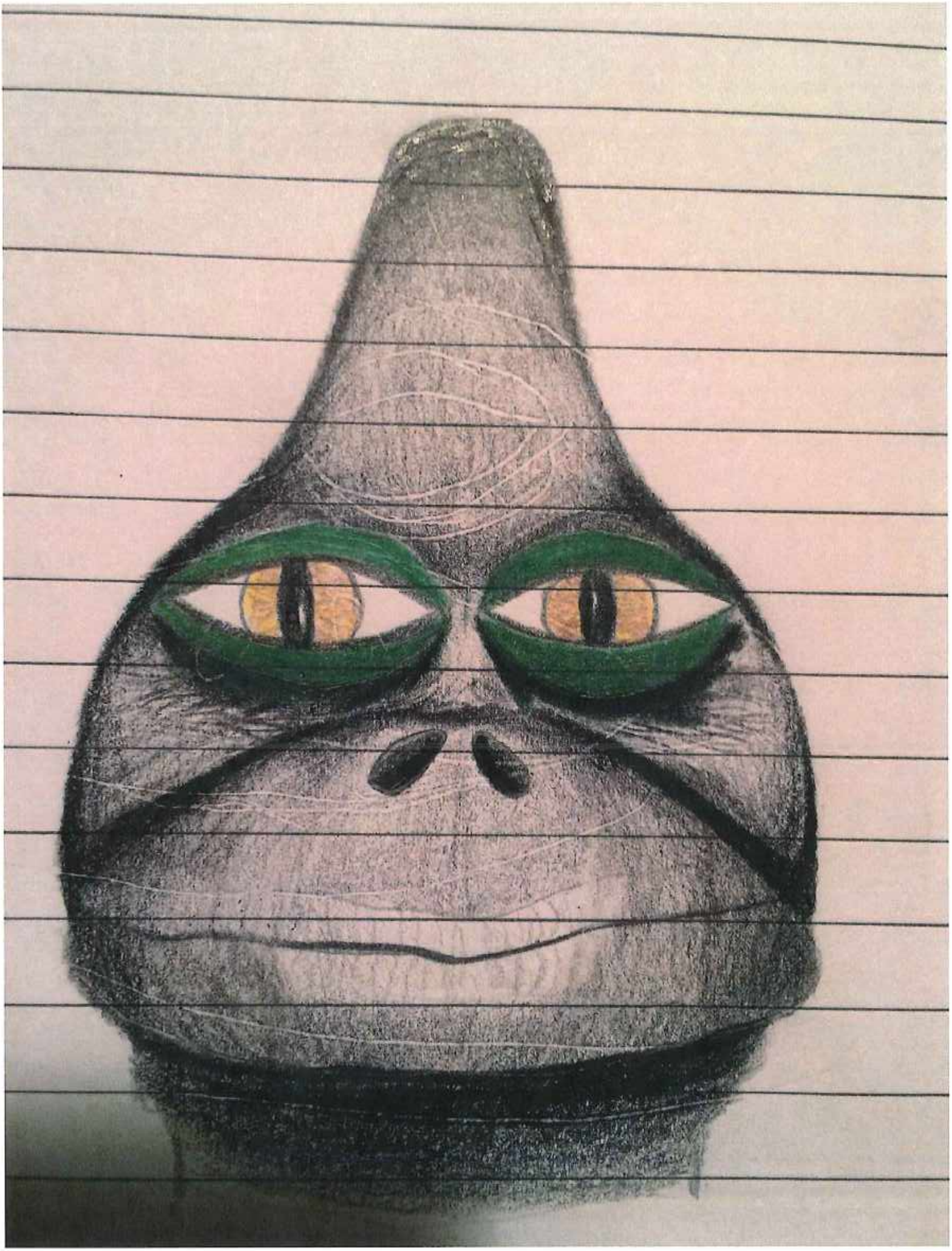
To the males, everything is black or white. There is no middle ground. They are power hungry megalomaniacs obsessed with control. If they are not 100% in control of every situation, they panic. If something happens they aren't anticipating,

they get very upset. They hate surprises. I know this because I was smart enough to trick them a few times.

To recap, the males are:

1) Megalomaniacal
2) Obsessed with sex
3) Extremely aggressive
4) Fearful and paranoid
5) Power hungry
6) Obsessed with control

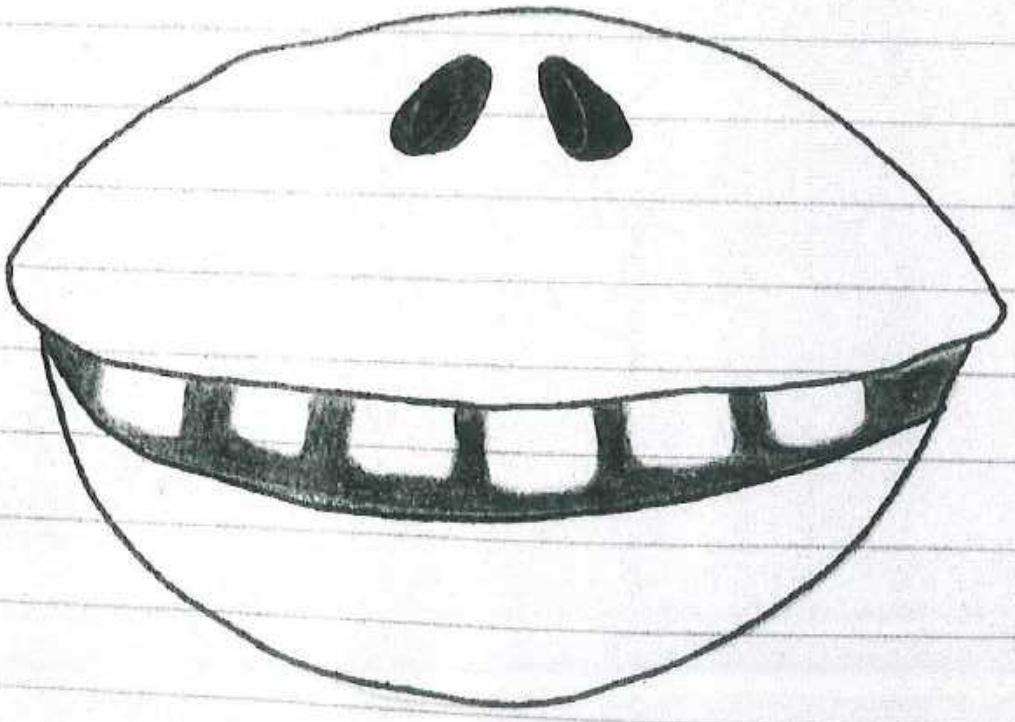
Sound familiar? Who else do you know that has these characteristics? If you answered: God from the bible, you are correct. Martians are responsible for the God myth. Martians may have created humans, as they claimed, but they are certainly not Gods themselves. They are just another intelligent species that evolved on a neighboring planet. There is no God. There is no heaven. There is no hell. Earth is as close to heaven as we'll ever get, and we are letting the Martians ruin it. They are going to destroy Earth just like they destroyed Mars if we let them. Our survival rests in their hands for the time being.



Huge eyes that stuck out of the sockets
Yellow/Brown iris
Projecting muzzle with ~45° angled nostrils
Huge mouth
Dark green skin
The only part I really saw well was the eyes

I assume they said this because their head looks like a muppet.

this is what their teeth look like
(elmo rules the world) ← something they kept saying to me.
again, they only revealed bits and pieces to me, and very briefly. Thankfully I have a photographic memory so I was able to remember what I saw, although I only remember the general appearance because each time I saw them it was very brief. They would smile at me in stores and reveal their mouth/eyes/nose all separately, never together at the same time.



NOTEWORTHY MARTIANS

U.S. Senators	U.S. House of Representatives	Israeli Leadership
Roy Blunt	Dan Lipinski	Lee Rosenberg
Roger Wicker	Mike Quigley	Afu Agbaria
Richard Durbin	Brett Guthrie	Haneen Zoabi
Patty Murray	Steve Scalise	Shaul Mofaz
Tom Carper	Gary Palmer	Issawi Frej
Ben Cardin	Terri Sewell	David Azulai
Mitch McConnell	Martha McSally	Yair Shamir
Ron Wyden	David Schweikert	Shimon Solomon
Tim Scott	Ruben Gallego	Ilan Gilon
Bill Cassidy	Jared Huffman	Elazar Stern
Barbara Mikulski	Mike Thompson	Gilad Erdan
Elizabeth Warren	Doris Matsui	Danny Danon
Kelly Ayotte	Nancy Pelosi	Haim Katz
John Barrasso	Ami Bera	Moshe Feiglin
Jeanne Shaheen	Mark DeSaulnier	Yehiel Bar
Debbie Stabenow	David Valadao	Omer Bar-Lev
	Devin Nunes	Michal Biran
	Lois Capps	Uri Ariel
	Steve Knight	Eli Ben-Dahan
	Brad Sherman	Avi Wortzman
	Raul Ruiz	Eli Yishai
	Scott Peter	Amnon Cohen
	John Larson	Nissim Ze'ev
	Rosa DeLauro	Uri Maklev
	John Carney Jr.	Yisrael Eichler
	Jeff Miller	Dov Khenin
	Tom Rooney	Masud Ghnaim
	John Lewis	Ahmad Tibi
	Hank Johnson	& every single Prime Minister since 1948
	Austin Scott	
	Tom Graves	There are *many* others from Israel. Too many to list.
	Luis Gutierrez	
	Luke Messer	
	Andre Carson	
	& more.	

This is by no means an all-inclusive list. Martians are ubiquitous. They exist at every level of society in every nation. Some have blue collar jobs, while others occupy positions of power. They control our government, our military, and Corporate America as well. They keep track of every 'wild' human on the planet and manage us like animals in a zoo. Our 'freedom' is a carefully crafted illusion.

The Lilly Wave and psychotronic warfare

3 November 2015

Lilly Wave
The Lilly Wave was found by John C Lilly and is, in most cases, completely misunderstood as to its usage to affect the thoughts and behaviour of humans.[1]

It is described as a bi-phasic electric pulse which stimulates the neurons of the brain to resonate at a certain frequency, thus the Lilly wave has the ability to control the brainwave patterns of the brain.

There is however a far more advanced form and a largely unknown and suppressed purpose in the use of the Lilly Wave.

The water molecules within the brain can be made to resonate at a desired frequency, this causes the electrons that comprise the brains electrical voltages to also resonate at that same frequency.

It is not a requirement, as is understood by the majority of science, to implant electrodes to cause the brains water molecules to be entrained to a certain frequency, it can also be accomplished by any waveform that can penetrate the skull and then cause the entrainment of the brains water molecules.

For example, radio waves emitted at a frequency of 40hz, targeted at a persons brain, will entrain the water molecules to a degree of 40hz and thus the rest of the brains electrons will also resonate at that frequency.

In this manner it is possible to stimulate and control the brains wave patterns remotely, with electromagnetism and also acoustic waves. However, it is imperative to understand that if the wave is not bi-phasic it will result in damage to the brains neurons and cause what is termed, brain damage.

It is not the case that only the brains water molecules can be entrained, it is also true of the blood sugar. Iron within the cellular structure composing the neurons of the brain and various other elements, can

also be entrained to resonate at a desired frequency. (Possibly the reason for the attack on tobacco, nicotine is a super blood sugar regulator)

If a molecule is targeted by a wave that resonates at the same frequency as that molecule, that molecule will explode, sugar is a crystal and crystals when stressed, broken or deformed, release an electric and electromagnetic charge, this is known as triboluminescence.

The effect of an exploding sugar crystal is quite damaging to the mind and brain, it creates extreme confusion, dizziness, and also a state best described as lack of awareness, or apathy.

The Lilly Wave frequency is a secret military application, it is known as the "madness" frequency.

The Los Angeles Riots are said to have been the first open test of its capacity to mass control anger and violent response from the mob.

Furthermore, there are other profound effects of entraining the brain and bloods iron molecules, one of which is to cause the iron to condense together via resonant attraction, and clump within the brain. This has the effect of causing the iron to be magnetised and rush to the top of your head, resulting in a rush of blood to the head and extreme confusion and dizziness, it can also be reversed which causes a draining of blood from the head, leading to all out unconsciousness.

In short, the Lilly Wave is best described as a targeted resonance of the brains molecules.
Use of the Lilly Wave can pretty much instal any brainwave pattern into the mind of any targeted human, such as the negative aspects already mentioned and also to create happiness, or the ability to control ones physical movements. An attack direct to the water molecules is by far the best method to achieve the desired aims.

It is possible to track the Lilly Wave through a spectrum analyser that you link up to a signal source, and if you know what wave forms to look for, in a TV signal for example, you can see all kinds of interesting things–like the Lilly wave.

As already stated the Lilly Wave was found by Dr. John Lily when he was working for NIH, (the National Institutes for Health), in 1959 when they first started implanting dolphin brains and discovered that they needed to give the dolphin brain a chance to respond.

Then they discovered that they could use these same waves on human beings. He was doing work for the Navy at that time, and he got out of that research because he felt so conflicted about what they were doing.

The Lilly Wave frequency will mostly be in the extremely low and sometimes in the ultra low frequency range, but they are complicated as they need to interact with certain brain molecules which have a resonant frequency of their own.
It is strange that the ELF and ULF ranges are classified or 10 MHz controlled frequencies.

Artificial Thought and Communication
This is the third step in the Blue Beam Project that goes along with the telepathic and electronically augmented two-way communication where ELF, VLF and LF waves will reach each person from within his or her own mind, from the Smart grid technology, convincing each of them that their own god is speaking to them from the very depths of their own soul. Such rays from satellites are fed from the memories of computers that have stored massive data about every human on earth, and their languages. The rays will then interlace with their natural thinking to form what we call diffuse artificial thought.

That kind of technology goes into the 1970s, 1980s, and 1990s research where the human brain has been compared to a computer. Information is fed in, processed, integrated and then a response is formulated and acted upon. Mind controllers manipulate information the same way a computer for grammar manipulates information. In January 1991, the University of Arizona hosted a conference entitled, 'The NATO Advanced Research Workshop on Current and Emergent Phenomena and Biomolecular Systems.'

4G Wi-Fi At 2.45GHz Damages Fertility, 5G At Between 30-300GHz Will Do What?
Download the Lilly Wave
5G Battlefield Interrogation Platform

The Lilly Wave and psychotronic warfare

Since 4G (microwave) was implemented in 2010 we have had a major decline in health. With the roll out of 5G&

Jeremiah W. (Jay) Nixon
Governor

John M. Britt
Director, DPS

James F. Keathley
Colonel, MSHP

Van Godsey
Director, MIAC

MIAC STRATEGIC REPORT

02/20/09

The Modern Militia Movement

Modern Militia Movement:

The Militia Movement began in the 1980's and reached its peak in 1996. Several social, economic, and political factors contributed to the surge in militia participation in the 1990's. The primary motivator for the movement was the farm crisis of the 1980's, which caused the destruction of 3/4 of a million small to medium size family farms. Overall, 11 million Americans lost their jobs during this time period.

Academics contend that female and minority empowerment in the 1970s and 1960s caused a blow to white male's sense of empowerment. This, combined with a sense of defeat from the Vietnam War, increased levels of immigration, and unemployment, spawned a paramilitary culture. This caught on in the 1980's with injects such as Tom Clancy novels, Soldier of Fortune Magazine, and movies such as Rambo that glorified combat. This culture glorified white males and portrayed them as morally upright heroes who were mentally and physically tough.

It was during this timeframe that many individuals and organizations began to concoct conspiracy theories to explain their misfortunes. These theories varied but almost always involved a globalist dictatorship the "New World Order (NWO)", which conspired to exploit the working class citizens. United Nations troops were thought to already be operating in the United States in support of the NWO. Much of this rhetoric would become anti-Semitic claiming that the Jews controlled the monetary system and media, and in turn the "Zionist Occupied government (ZOG)". The Militia of Montana (MOM) became a key organization in pushing rightwing rhetoric and informing individuals on how to form militia organizations.

A series of incidents in the early 1990's caused a surge in militia participation. The 1992 standoff between federal authorities and the Weaver family at Ruby Ridge, Idaho became a spark for the movement. On August 14, 1992, a 12 day standoff began that would result in the death of one federal agent and the wife and son of Randy Weaver. The following February, a 51-day siege would occur at the Branch Davidian compound in Waco, Texas, resulting in the death of 82 Davidians and four law enforcement agents. In November of 1993, the enacting of the Brady Handgun Violence Prevention Act of 1992 additionally fueled the movement. The movement reached its peak in 1996 with over 850 groups believed to be operating within the US.

Noteworthy militia activity from 1995 to 1999:

- 11/09/95: Oklahoma Constitutional Militia members are arrested as they plan to bomb the Southern Poverty Law Center (SPLC), gay bars, and abortion clinics.
- 12/18/95: A drum of ammonium nitrate and fuel oil is found behind the IRS building in Reno, Nevada, the device failed to explode. An anti-government tax protestor is later arrested for the incident.
- 01/18/96: A member of the Aryan Republican Army (ARA) is arrested in Ohio after a shoot out with the FBI. The ARA was also associated with 22 bank robberies between 1994 and 1996.

- 01/01/96: 12 members of an Arizona Militia group called Viper Team were arrested on Conspiracy, Weapons, and Explosives charges after they were caught doing surveillance on government buildings.

- 07/27/96: A bomb is detonated at the Atlanta Olympic Park, killing one person and injuring 100. Eric Robert Rudolph is later arrested and linked to other bombings at abortion clinics and a gay bar.

- 10/11/96: Seven members of the Mountaineer Militia were arrested for plotting to blow up the FBI fingerprint records center in West Virginia.

- 07/04/97: Members of a splinter group of the Third Continental Congress were arrested in the process of plotting attacks on military bases. The group thought that many military instillations were training United Nations troops that were planning on attacking U.S. Citizens.

- 03/18/98: Members of the North American Militia were arrested on firearms charges; prosecutors claimed that the group conspired to bomb federal buildings in Michigan, a television station, and an interstate highway interchange.

- 12/05/99: Members of the California based San Joaquin Militia were charged with conspiracy to bomb critical infrastructure sites in hopes of provoking an insurrection. The leaders of the organization also plead guilty to plotting to kill a federal judge.

- 12/08/99: The leader of a militia coalition known as the Southeastern States Alliance was charged with conspiracy to bomb energy facilities in order to cause power outages in Florida and Georgia.

Decline of the Movement:

The militia movement began to decline after the 1995 Oklahoma City Bombing and raids on the Montana Freemen and Republic of Texas in 1996 and 1997. Poor public opinion of the militia movement and increased attention from law enforcement caused many of the uncommitted members to leave the movement. Many of the hardcore militia members grew angry with the militia for not mobilizing in response to perceived government aggressions. Some of these fanatics would splinter into smaller or underground groups adhering to the principles of "leaderless resistance".

Many militia groups began to rally members in the belief that the government would collapse due to the Y2K scare. This theory claimed that the government would collapse due to computers not being able to handle the transition from the 1900's to the 2000's. The militia's inaccurate assessment of the Y2K threat badly damaged its reputation. Additionally, thoughts that President George W. Bush was sympathetic to their situation, and a wave of patriotism after 911 would further diminish the militia movement.

The Militia Post September 11, 2001:

During this time period the militia had lost the attention of the mainstream media and public, but it continued to exist. The SPLC reports that between the Oklahoma City Bombing in 1995 and 2005 that roughly 60-rightwing extremist plots were uncovered.

Noteworthy militia activity from 2000 to 2008

- 03/09/00: The former leader of the Texas Militia was arrested for conspiracy to attack the Houston Federal Building.

- 03/01/01: A former Colonel in the Kentucky Militia peppered a deputy's car with semi automatic weapons fire during a traffic stop.

- 02/08/02: Two members of a group called Project 7 were arrested for plotting to kill judges and law enforcement officers in order to kick off the revolution.

- 09/03/02: A plot by the Idaho Mountain Boys Militia to murder a federal judge and a police officer and then break a friend out of jail was uncovered.

- 07/07/03: A Michigan Militia member killed a Michigan State Trooper that attempted to serve him a warrant.

- 10/25/04: A farmhand in Tennessee was arrested for attempting to obtain ingredients for sarin gas and C-4 explosives in order to conduct Anti Semitic and government attacks.

- 06/29/07: Six members of the Alabama Free Militia were arrested on weapons and explosives charges. An ATF agent would go on to testify that five of the men were planning an attack on Mexicans in a town near Birmingham.

- 12/08: National Guard and Reserve facilities received packages with anti New World Order rhetoric. This would occur within a week of hoax anthrax mailings to State Governor's offices.

Reemergence of the Movement:

Rightwing extremists and militia leaders continuously exploit current world events in order to increase participation in their movements. Due to the current economical and political situation, a lush environment for militia activity has been created. Unemployment rates are high, as well as cost of living expenses. Additionally, President Elect Barrack Obama is seen as tight on gun control and many extremists fear that he will enact firearms confiscations. White supremacists from within the militia movement have further become angered due to the election of the first African American President. Many constitutionalists within the movement have claimed that President Elect Obama does not meet the residency requirements to hold the office of President, and therefore his election is unconstitutional.

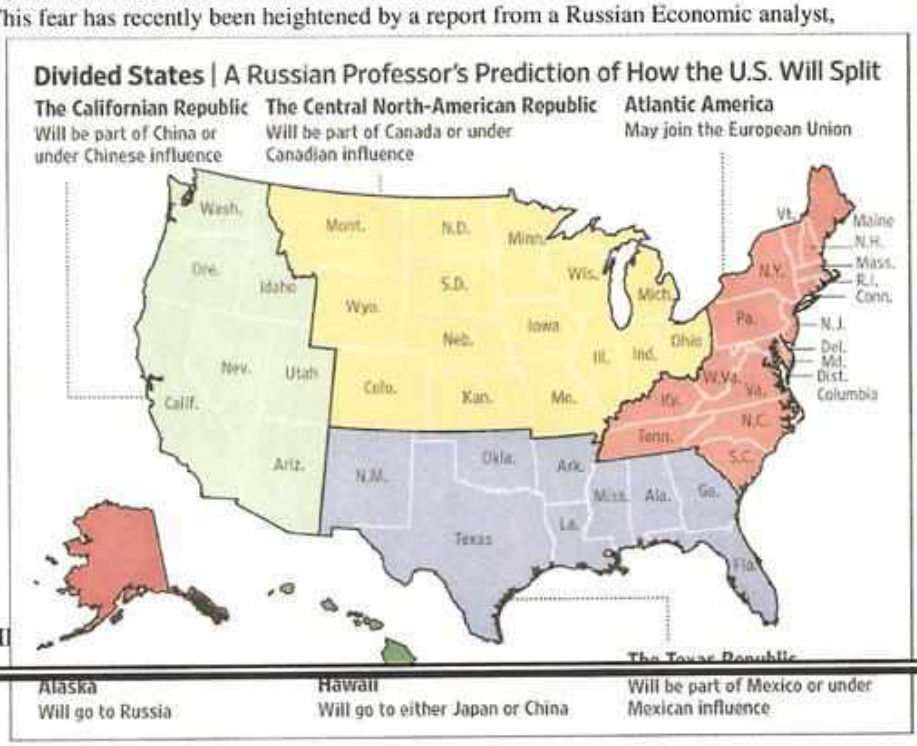
Newer versions of the NWO conspiracy have been concocted in order to empower the movement. The NWO is seen as using law enforcement, military, national guard, and federal agencies in order to carry out its elitist one world government. Law enforcement and military forces are believed to be utilized in order to confiscate firearms and place individuals into FEMA concentration camps. This scenario has received additional attention due to the US Army NORTHCOM assigning homeland security functions to an active duty Infantry Brigade. The movement sees this brigade as the force that will take their firearms and that the unit is in violation of the Posse Comitatus Act. There are also concerns that the banking and media infrastructure are also being controlled by the Jewish elite and that these leaders are members of the NWO. There is a great deal of anger towards the Federal Reserve System (FRS) and all forms of tax collection.

Additional motivators for militia activity:

Bullet with engraved tracking number

Ammunition Accountability Act: The Ammunition Accountability Act has been up for legislation in most states. This legislation would require that an ID number be engraved on the round of all ammunition and this ammo could in turn be linked to a place of purchase and the purchaser. Some states have added a clause to the act making it a misdemeanor to possess unregistered ammunition. *Bill did not pass in Missouri*

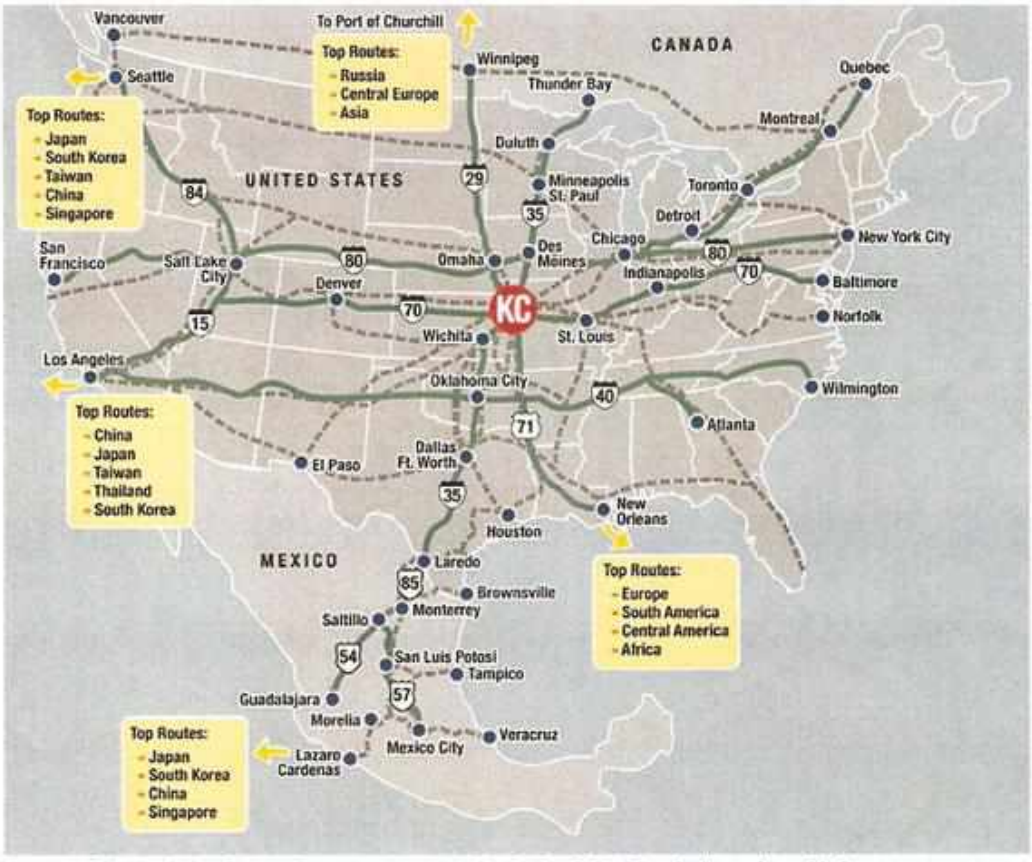
Anticipation of the economic collapse of the US Government: Many militia organizations feel that the U.S. government will fall due to economic or racial issues. They believe that during the chaotic fall of the government, moves will be made to install Martial Law, confiscate firearms, and imprison many citizens. This fear has recently been heightened by a report from a Russian Economic analyst, Igor Panarin. Panarin predicted that the U.S. would collapse and fraction into six different regions controlled by foreign governments. Panarin goes on to say that as early as the autumn of 2009, the economic crisis will lead to a civil war.



Possible Constitutional Convention (Con Con): Currently 32 states have called for a Constitutional Convention (Con Con) that will add amendments to the U.S. Constitution. The Con Con will be held if two more states request it. The convention is planned specifically for the reason of adding a balanced budget amendment to the Constitution. The Militia Movement is concerned that if a Con

Con is held, the 1st and 2nd amendments will be altered or removed.

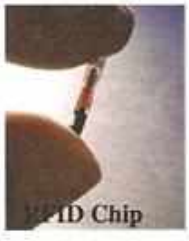
North American Union (NAU): Conspiracy theorists claim that this union would link Canada, The United States, and Mexico. The NAU would unify its monetary system and trade the dollar for the AMERO. Associated with this theory is concern over a NAFTA Superhighway, which would fast track trade between the three nations. There is additional concern that the NAU would open up the border causing security risks and free movement for immigrants.



Kansas City and the Smart Port are seen as the hub of the North American Union

Universal Service Program: Statements made by President Elect Obama and his chief of staff have led extremists to fear the creation of a Civilian Defense Force. This theory requires all citizens between the age of 18 and 25 to be forced to attend three months of mandatory training.

Radio Frequency Identification (RFID): There is a fear that the government will enforce mass RFID human implantations. This process would make it possible for the government to continually know the locations of all citizens.



RFID Chip

Militia Trends:

Ideologies

Members of the militia movement often subscribe to the ideology of other right-wing extremist movements such as:

Christian Identity: Religious ideology popular in extreme right-wing circles. Adherents believe that whites of European descent can be traced back to the "Lost Tribes of Israel." Many consider Jews to be the satanic offspring of Eve and the Serpent, while non-whites are "mud people" created before Adam and Eve.

White Nationalist: Many white supremacists, National Socialists "Neo-Nazi", and skinheads are drawn to the movement and its anti government, Semitic, and anti-immigration rhetoric.

Sovereign Citizen: Individuals that see themselves as Sovereign Citizens question the legitimacy of the federal government. They argue that the government has gotten away from the intent of the Constitution and is thus not valid. These groups are

strong states rights advocates, but see the County Sheriff as the highest position of authority. These groups and individuals are well known for failure to register vehicles and driving without valid licenses. Sovereign Citizens have been known to issue their own license plates and drivers licenses and to issues summons to appear in "Common Law" courts.

Militant Abortion: Anti Abortionists have been known to take up arms in support of their beliefs. Eric Rudolph who was responsible for the Atlanta Olympic Park Bombing and abortion clinics was an anti abortionist.

Tax Resistors: This movement is strongly in opposition to the collection of federal income taxes. Individuals in this movement generally believe that income taxes are invalid or the tax laws do not apply to them.

Anti- Immigration: Some militia organizations have been formed solely for the purpose of countering the threat of illegal immigration. Extremists will argue that immigrants are taking the jobs of U.S. Citizens during times of high unemployment. Additionally, illegal immigrants are seen as sucking up government resources without paying taxes. Some militia units patrol the border in order to safeguard against drug smugglers, gangs, or violent immigrants.

Training

Utilization of MILSIM: Militia members have been attending Military Simulation (MILSIM) events in order to increase their combat readiness. MILSIM is a realistic combat sport in which two forces, some times up to the platoon level, utilize paintball, Airsoft, or MILES gear to conduct realistic war games. The desire to increase the realism of the MILSIM has drawn members to seek and conduct military leadership, planning, communications, navigations, and tactics training.

Militia and Survival Training events: Regional training events are being held with the intent of teaching individuals how to establish militia organizations. These events usually focus on individual soldier skills, land navigation, and marksmanship. Some events have been set up in order to prepare for joint operations between militia organizations.

Communications: The use of short wave rave radios for communication and broadcasts is common among most militia groups. These groups communicate through forums, yahoo groups, blogs, and social networking sites. Websites and online talk shows have been established to push rhetoric, usually a skewed version of current events.

Recruitment: Militias are recruiting members and supporters through the following means: gun shows, online forums, websites, social networking sites, and informal social networks. Additionally, militia recruitment may be done at events or meetings held by organizations that share ideologies with the militia.

Organization

Public Groups These organizations hold training events that are open to the public and generally recruit publicly. These groups desire to aid the County Sheriff or Governor in emergencies such as a natural disaster. It is not uncommon for these groups to be seen in public doing community service related work. Public groups are less likely to publicly push malicious rhetoric, and have a traditional military style chain of command and leadership structure. These groups have been known to form underground units and provide training and guidance to new or forming organizations.

Underground Groups These groups primarily adhere to the principles of Louis Beam's philosophy of leaderless resistance. This philosophy advocates small autonomous cells driven by ideology rather than by the direction of leaders. These groups are difficult to gather intelligence on, as no one outside of the cell would be aware of the organization or its plans. Individuals or "lone wolves" have also been known to adhere to the principles of leaderless resistance in order to perform or plot acts of violence.

Committees of Safety (CoS) Organization established to lobby government officials and confront corruption. These groups claim to be a voice of the people and usually control or associate with militia organizations in their region. These organizations are targeted at the county level but are also forming state and national level organizations.

Covenant Militia Communities Community of militia members that attempt to create a sovereign township. In the 1990's there were an estimated eight of these communities identified across the country.

Militia Associations These organizations attempt to network various militias through the Internet, meetings, or events. Groups such as the American Constitutional Militia Network (ACMN) and the Rogue Nations Eternal Militia (RNEM) are active online communications sites for militia members and organizations.

Missouri Militia members during a Field Training Event (FTX)

Implications for Law Enforcement

There are significant differences between the 1990's era militias and those of today, most notably:

Highly Trained: Militia members are receiving more professionalized training then they did during the first spike of the movement in the 1990's.

Leadership training: Militia members are receiving advanced leadership and operational planning training. This has allowed for the establishment of a strong Non Commissioned Officer Corps (NCO) within groups. An NCO Corps allows operations to be run at the fire team and squad size. This enables units to conduct multiple operations simultaneously; "Complex attacks". This training will also enable individuals to form and train their own organizations.

You are the Enemy: The militia subscribes to an anti-government and NWO mindset, which creates a threat to law enforcement officers. They view the military, National Guard, and law enforcement as a force that will confiscate their firearms and place them in FEMA concentration camps.

Implications for Missouri

Infrastructure at risk in Missouri:

Detention Centers: Rightwing extremists believe that there are at least three FEMA concentration camps in the state of Missouri:

- The Former Richards-Gebaur AFB in Grandview, MO
- Ft. Leonard Wood, MO
- Camp Crowder in Neosho, MO

North American Union (NAU): The Kansas City "Smart Port" which is a hub for fast tracked trade and distribution between the U.S. and Mexico is seen as the Hub of the North American Union. A shipping and distribution center is under way in the former Richard-Gebaur AFB in Grandview, MO. This facility is seen as both a FEMA concentration center and a facility for the NAU.

Federal Reserve Banks: Members of the militia movement are strongly against the FRS and see it as a mechanism of the elitist New World Order. In November End the FED protests were held nationwide at Federal Reserve Banks in opposition to the FRS. Many right-wing extremists oppose the FRS and propose a system that would be backed by gold. Federal Reserve banks may also draw attention from anti bail out protestors and activists.

National Guard Facilities: National Guard armories and facilities are seen as potential staging areas for NWO troops. Additionally, there are fears that the National Guard will be forced to confiscate weapons and enforce marshal law. Some individuals in the movement have argued that National Guard soldiers and units have had their weapons confiscated, have been transformed into no combat units such as supply, transportation, or medical elements, or are being deployed overseas in order to weaken the defense of the State against the NWO.

Federal Buildings or facilities: Within the movement there is a distrust and anger towards the federal government primarily towards the IRS, ATF, FBI, FEMA.

Common Militia Symbols:

Political and Anti-Government Rhetoric:

Political Paraphernalia: Militia members most commonly associate with 3rd party political groups. It is not uncommon for militia members to display Constitutional Party, Campaign for Liberty, or Libertarian material. These members are usually supporters of former Presidential Candidate: Ron Paul, Chuck Baldwin, and Bob Barr.

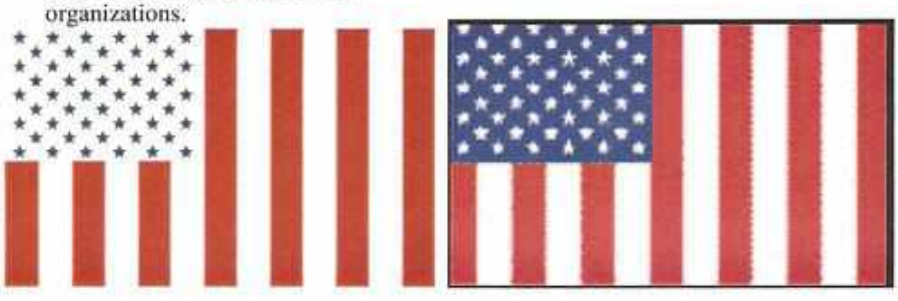
Anti-Government Propaganda: Militia members commonly display picture, cartoons, bumper stickers that contain anti-government rhetoric. Most of this material will depict the FRS, IRS, FBI, ATF, CIA, UN, Law Enforcement, and "The New World Order" in a derogatory manor. Additionally, Racial, anti-immigration, and anti-abortion, material may be displayed by militia members.

Militia Symbols:

Gadsden Flag: created by General Christopher Gadsden and utilized in colonial America. This is the most common symbol displayed by militia members and organizations.

Hutaree Militia: Patch of a popular Michigan based militia that has a presence and influence in many states.

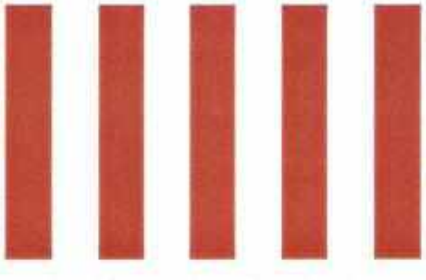
1st BN/3rd BDE MO Militia patch: Unit patch displayed by Missouri Militia Members.



Sovereign Citizen: Flags usually displayed by Sovereign citizens in order to represent sovereign "common law" jurisdiction.

Molon Labe: Greek phrase that translates to "Come and take them!" or " Over my dead body", phrase originated during the Spartan and Persian battle at Thermopylae and was recently made popular by the movie 300.

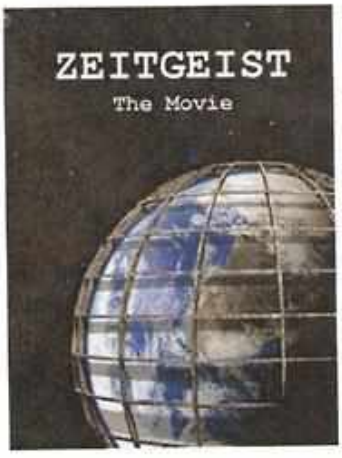
Upside down US Flag: The militia uses this as a symbol of a nation in distress.



Nine Stripes of the Sons of Liberty: Sons of Liberty was a secret society of patriots during the American Revolutionary war. Many militia members claim the Sons of Liberty as part of their heritage.

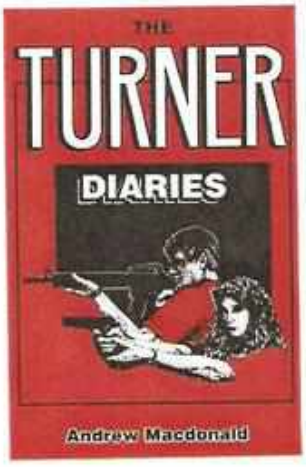
First Navy Jack: Continental Navy flag, which is also, displayed with a stretched out rattlesnake and the inscription "Don't Tread on Me".

Literature and Media Common to the Militia:



Zeitgeist the Movie: Anti Federal Reserve System film.

America: Freedom to Fascism: Anti-income tax film



The Turner Diaries: Novel that depicts the violent revolution of the United States Government and a war that leaves only a white population. This book was promoted by Timothy Mcveigh and said to be the motivation behind the Oklahoma City Bombing.

Comments regarding this alert may be made to Brandon.middleton@mshp.dps.mo.gov

Comments on previous MIAC strategic alerts or ideas for research on future strategic products should be made to Greg.hug@mshp.dps.mo.gov

Missouri Information Analysis Center

Division of Drug & Crime Control, P. O. Box 568, Jefferson City, MO 65102-0568

Phone: 573-751-6422 Toll Free: 866-362-6422 Fax: 573-751-9950

The USA Patriot Act (October 24, 2001)

The USA PATRIOT Act was passed on October 24, 2001 in response to the terrorist attacks on September 11. This excerpt from the 324-page piece of legislation outlines the massive scope of the act's revision of criminal, immigration, and intelligence-gathering laws. Read the outline closely to determine which sections grant the federal government significant new powers or remove traditional protections such as *habeas corpus* from certain individuals. Ever since the passage of the PATRIOT act, critics and supporters have argued vehemently over where to draw the line between the competing demands of security and liberty.

PUBLIC LAW 107--56--OCT. 26, 2001

UNITING AND STRENGTHENING AMERICA BY

PROVIDING APPROPRIATE TOOLS REQUIRED

TO INTERCEPT AND OBSTRUCT TERRORISM

(USA PATRIOT ACT) ACT OF 2001

TITLE II--ENHANCED SURVEILLANCE PROCEDURES

SEC. 201. AUTHORITY TO INTERCEPT WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS RELATING TO TERRORISM.

Section 2516(1) of title 18, United States Code, is amended--

(1) by redesignating paragraph (p), as so redesignated by section 434(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132; 110 Stat. 1274), as paragraph (r); and

(2) by inserting after paragraph (p), as so redesignated by section 201(3) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–565), the following new paragraph:

"(q) any criminal violation of section 229 (relating to chemical weapons); or sections 2332, 2332a, 2332b, 2332d, 2339A, or 2339B of this title (relating to terrorism); or".

* * *

SEC. 203. AUTHORITY TO SHARE CRIMINAL INVESTIGATIVE INFORMATION.

(a) AUTHORITY TO SHARE GRAND JURY INFORMATION.--

(1) IN GENERAL.--Rule 6(e)(3)(C) of the Federal Rules of Criminal Procedure is amended to read as follows: "(C)(i) Disclosure otherwise prohibited by this rule of matters occurring before the grand jury may also be made--

"(I) when so directed by a court preliminarily to or in connection with a judicial proceeding;

"(II) when permitted by a court at the request of the defendant, upon a showing that grounds may exist for a motion to dismiss the indictment because of matters occurring before the grand jury;

"(III) when the disclosure is made by an attorney for the government to another Federal grand jury;

"(IV) when permitted by a court at the request of an attorney for the government, upon a showing that such matters may disclose a violation of State criminal law, to an appropriate official of a State or subdivision of a State for the purpose of enforcing such law; or

"(V) when the matters involve foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)), or foreign intelligence information (as defined in clause (iv) of this subparagraph), to any Federal law enforcement, intelligence, protective, immigration, national defense, or national security official in order to assist the official receiving that information in the performance of his official duties.

"(ii) If the court orders disclosure of matters occurring before the grand jury, the disclosure shall be made in such manner, at such time, and under such conditions as the court may direct.

"(iii) Any Federal official to whom information is disclosed pursuant to clause (i)(V) of this subparagraph may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information. Within a reasonable time after such disclosure, an attorney for the government shall file under seal a notice with the court stating the fact that such information was disclosed and the departments, agencies, or entities to which the disclosure was made.

"(iv) In clause (i)(V) of this subparagraph, the term 'foreign intelligence information' means--

"(I) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against--

"(aa) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

"(bb) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

"(cc) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of foreign power; or

"(II) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to--

"(aa) the national defense or the security of the United States; or

"(bb) the conduct of the foreign affairs of the United States.".

(2) CONFORMING AMENDMENT.--Rule 6(e)(3)(D) of the Federal Rules of Criminal Procedure is amended by striking "(e)(3)(C)(i)" and inserting "(e)(3)(C)(i)(I)".

(b) AUTHORITY TO SHARE ELECTRONIC, WIRE, AND ORAL INTERCEPTION INFORMATION.--

(1) LAW ENFORCEMENT.--Section 2517 of title 18, United States Code, is amended by inserting at the end the following:

"(6) Any investigative or law enforcement officer, or attorney for the Government, who by any means authorized by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence derived therefrom, may disclose such contents to any other Federal law enforcement, intelligence,

protective, immigration, national defense, or national security official to the extent that such contents include foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)), or foreign intelligence information (as defined in subsection (19) of section 2510 of this title), to assist the official who is to receive that information in the performance of his official duties. Any Federal official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information.".

(2) DEFINITION.--Section 2510 of title 18, United States Code, is amended by--

(A) in paragraph (17), by striking "and" after the semicolon;

(B) in paragraph (18), by striking the period and inserting "; and"; and

(C) by inserting at the end the following:

"(19) 'foreign intelligence information' means--

"(A) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against--

"(i) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

"(ii) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

"(iii) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

"(B) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to--

"(i) the national defense or the security of the United States; or

"(ii) the conduct of the foreign affairs of the United States.".

(c) PROCEDURES.--The Attorney General shall establish procedures for the disclosure of information pursuant to section 2517(6) and Rule 6(e)(3)(C)(i)(V) of the Federal Rules of Criminal Procedure that identifies a United States person, as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).

(d) FOREIGN INTELLIGENCE INFORMATION.--

(1) IN GENERAL.--Notwithstanding any other provision of law, it shall be lawful for foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 401a)) or foreign intelligence information obtained as part of a criminal investigation to be disclosed to any Federal law enforcement, intelligence, protective, immigration, national defense, or national security official in order to assist the official receiving that information in the performance of his official duties. Any Federal official who receives information pursuant to this provision may use that information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information.

(2) DEFINITION.--In this subsection, the term "foreign intelligence information" means--

(A) information, whether or not concerning a United States person, that relates to the ability of the United States to protect against--

(i) actual or potential attack or other grave hostile acts of a foreign power or an agent of a foreign power;

(ii) sabotage or international terrorism by a foreign power or an agent of a foreign power; or

(iii) clandestine intelligence activities by an intelligence service or network of a foreign power or by an agent of a foreign power; or

(B) information, whether or not concerning a United States person, with respect to a foreign power or foreign territory that relates to--

(i) the national defense or the security of the United States; or

(ii) the conduct of the foreign affairs of the United States.

* * *

SEC. 209. SEIZURE OF VOICE-MAIL MESSAGES PURSUANT TO WARRANTS.

Title 18, United States Code, is amended-- (1) in section 2510--

(A) in paragraph (1), by striking beginning with "and such" and all that follows through "communication"; and

(B) in paragraph (14), by inserting "wire or" after "transmission of"; and (2) in subsections (a) and (b) of section 2703--

(A) by striking "CONTENTS OF ELECTRONIC" and inserting "CONTENTS OF WIRE OR ELECTRONIC" each place it appears;

(B) by striking "contents of an electronic" and inserting "contents of a wire or electronic" each place it appears; and

(C) by striking "any electronic" and inserting "any wire or electronic" each place it appears.

SEC. 210. SCOPE OF SUBPOENAS FOR RECORDS OF ELECTRONIC COMMUNICATIONS.

Section 2703(c)(2) of title 18, United States Code, as redesignated by section 212, is amended--

(1) by striking "entity the name, address, local and long distance telephone toll billing records, telephone number or other subscriber number or identity, and length of service of a subscriber" and inserting the following: "entity the--

"(A) name;

"(B) address;

"(C) local and long distance telephone connection records, or records of session times and durations;

"(D) length of service (including start date) and types of service utilized;

"(E) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

"(F) means and source of payment for such service (including any credit card or bank account number), of a subscriber"; and

(2) by striking "and the types of services the subscriber or customer utilized,".

SEC. 212. EMERGENCY DISCLOSURE OF ELECTRONIC COMMUNICATIONS

TO PROTECT LIFE AND LIMB.

(a) DISCLOSURE OF CONTENTS.--

(1) IN GENERAL.--Section 2702 of title 18, United States

Code, is amended--

(A) by striking the section heading and inserting the following: "§ 2702. Voluntary disclosure of customer communications or records";

(B) in subsection (a)--

(i) in paragraph (2)(A), by striking "and" at the end;

(ii) in paragraph (2)(B), by striking the period and inserting "; and"; and

(iii) by inserting after paragraph (2) the following: "(3) a provider of remote computing service or electronic communication service to the public shall not knowingly divulge a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by paragraph (1) or (2)) to any governmental entity.";

(C) in subsection (b), by striking "EXCEPTIONS.--A person or entity" and inserting "EXCEPTIONS FOR DISCLOSURE OF COMMUNICATIONS.-- A provider described in subsection (a)";

(D) in subsection (b)(6)--

(i) in subparagraph (A)(ii), by striking "or";

(ii) in subparagraph (B), by striking the period and inserting "; or"; and

(iii) by adding after subparagraph (B) the following: "(C) if the provider reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure of the information without delay."; and

(E) by inserting after subsection (b) the following: "(c) EXCEPTIONS FOR DISCLOSURE OF CUSTOMER RECORDS.--

A provider described in subsection (a) may divulge a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by subsection (a)(1) or (a)(2))--

"(1) as otherwise authorized in section 2703;

"(2) with the lawful consent of the customer or subscriber;

"(3) as may be necessarily incident to the rendition of the service or to the protection of the rights or property of the provider of that service;

"(4) to a governmental entity, if the provider reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies disclosure of the information; or

"(5) to any person other than a governmental entity.".

(2) TECHNICAL AND CONFORMING AMENDMENT.--The table of sections for chapter 121 of title 18, United States Code, is amended by striking the item relating to section 2702 and inserting the following: "2702. Voluntary disclosure of customer communications or records.".

(b) REQUIREMENTS FOR GOVERNMENT ACCESS.--

(1) IN GENERAL.--Section 2703 of title 18, United States Code, is amended--

(A) by striking the section heading and inserting the following: "§ 2703. Required disclosure of customer communications or records";

(B) in subsection (c) by redesignating paragraph (2) as paragraph (3);

(C) in subsection (c)(1)--

(i) by striking "(A) Except as provided in subparagraph (B), a provider of electronic communication service or remote computing service may" and inserting "A governmental entity may require a provider of electronic communication service or remote computing service to";

(ii) by striking "covered by subsection (a) or (b) of this section) to any person other than a governmental entity. "(B) A provider of electronic communication service or remote computing service shall disclose a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications covered by subsection (a) or (b) of this section) to a governmental entity" and inserting ")";

(iii) by redesignating subparagraph (C) as paragraph (2);

(iv) by redesignating clauses (i), (ii), (iii), and (iv) as subparagraphs (A), (B), (C), and (D), respectively;

(v) in subparagraph (D) (as redesignated) by striking the period and inserting "; or"; and

(vi) by inserting after subparagraph (D) (as redesignated) the following: "(E) seeks information under paragraph (2)."; and (D) in paragraph (2) (as redesignated) by striking "subparagraph (B)" and insert "paragraph (1)".

(2) TECHNICAL AND CONFORMING AMENDMENT.--The table of sections for chapter 121 of title 18, United States Code, is amended by striking the item relating to section 2703 and inserting the following: "2703. Required disclosure of customer communications or records.".

SEC. 213. AUTHORITY FOR DELAYING NOTICE OF THE EXECUTION OF

A WARRANT.

Section 3103a of title 18, United States Code, is amended--

(1) by inserting "(a) IN GENERAL.--" before "In addition"; and

(2) by adding at the end the following: "(b) DELAY.--With respect to the issuance of any warrant or court order under this section, or any other rule of law, to search for and seize any property or material that constitutes evidence of a criminal offense in violation of the laws of the United States, any notice required, or that may be required, to be given may be delayed if--

"(1) the court finds reasonable cause to believe that providing immediate notification of the execution of the warrant may have an adverse result (as defined in section 2705);

"(2) the warrant prohibits the seizure of any tangible property, any wire or electronic communication (as defined in section 2510), or, except as expressly provided in chapter 121, any stored wire or electronic information, except where the court finds reasonable necessity for the seizure; and

"(3) the warrant provides for the giving of such notice within a reasonable period of its execution, which period may thereafter be extended by the court for good cause shown.".

* * *

SEC. 414. VISA INTEGRITY AND SECURITY.

(a) SENSE OF CONGRESS REGARDING THE NEED TO EXPEDITE IMPLEMENTATION OF INTEGRATED ENTRY AND EXIT DATA SYSTEM.--

(1) SENSE OF CONGRESS.--In light of the terrorist attacks perpetrated against the United States on September 11, 2001, it is the sense of the Congress that--

(A) the Attorney General, in consultation with the Secretary of State, should fully implement the integrated entry and exit data system for airports, seaports, and land border ports of entry, as specified in section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), with all deliberate speed and as expeditiously as practicable; and

(B) the Attorney General, in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of the Treasury, and the Office of Homeland Security, should immediately begin establishing the Integrated Entry and Exit Data System Task Force, as described in section 3 of the Immigration and Naturalization Service Data Management Improvement Act of 2000 (Public Law 106–215).

(2) AUTHORIZATION OF APPROPRIATIONS.--There is authorized to be appropriated such sums as may be necessary to fully implement the system described in paragraph (1)(A).

(b) DEVELOPMENT OF THE SYSTEM.--In the development of the integrated entry and exit data system under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), the Attorney General and the Secretary of State shall particularly focus on--

(1) the utilization of biometric technology; and

(2) the development of tamper-resistant documents readable at ports of entry.

(c) INTERFACE WITH LAW ENFORCEMENT DATABASES.--The entry and exit data system described in this section shall be able to interface with law enforcement databases for use by Federal law enforcement to identify and detain individuals who pose a threat to the national security of the United States.

(d) REPORT ON SCREENING INFORMATION.--Not later than 12 months after the date of enactment of this Act, the Office of Homeland Security shall submit a report to Congress on the

information that is needed from any United States agency to effectively screen visa applicants and applicants for admission to the United States to identify those affiliated with terrorist organizations or those that pose any threat to the safety or security of the United States, including the type of information currently received by United States agencies and the regularity with which such information is transmitted to the Secretary of State and the Attorney General.

* * *

SEC. 416. FOREIGN STUDENT MONITORING PROGRAM.

(a) FULL IMPLEMENTATION AND EXPANSION OF FOREIGN STUDENT

VISA MONITORING PROGRAM REQUIRED.--The Attorney General, in consultation with the Secretary of State, shall fully implement and expand the program established by section 641(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(a)).

(b) INTEGRATION WITH PORT OF ENTRY INFORMATION.--For each alien with respect to whom information is collected under section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372), the Attorney General, in consultation with the Secretary of State, shall include information on the date of entry and port of entry.

(c) EXPANSION OF SYSTEM TO INCLUDE OTHER APPROVED EDUCATIONAL INSTITUTIONS.--Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C.1372) is amended--

(1) in subsection (a)(1), subsection (c)(4)(A), and subsection (d)(1) (in the text above subparagraph (A)), by inserting ", other approved educational institutions," after "higher education" each place it appears;

(2) in subsections (c)(1)(C), (c)(1)(D), and (d)(1)(A), by inserting ", or other approved educational institution," after "higher education" each place it appears;

(3) in subsections (d)(2), (e)(1), and (e)(2), by inserting ", other approved educational institution," after "higher education" each place it appears; and

(4) in subsection (h), by adding at the end the following new paragraph: "(3) OTHER APPROVED EDUCATIONAL INSTITUTION.--The term 'other approved educational institution' includes any air flight school, language training school, or vocational school, approved by the Attorney General, in consultation with the Secretary of Education and the Secretary of State, under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act.".

(d) AUTHORIZATION OF APPROPRIATIONS.--There is authorized to be appropriated to the Department of Justice $36,800,000 for the period beginning on the date of enactment of this Act and ending on January 1, 2003, to fully implement and expand prior to January 1, 2003, the program established by section 641(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(a)).

SEC. 417. MACHINE READABLE PASSPORTS.

(a) AUDITS.--The Secretary of State shall, each fiscal year until September 30, 2007--

(1) perform annual audits of the implementation of section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(B));

(2) check for the implementation of precautionary measures to prevent the counterfeiting and theft of passports; and

(3) ascertain that countries designated under the visa waiver program have established a program to develop tamper-resistant passports.

(b) PERIODIC REPORTS.--Beginning one year after the date of enactment of this Act, and every year thereafter until 2007, the Secretary of State shall submit a report to Congress setting forth the findings of the most recent audit conducted under subsection (a)(1).

(c) ADVANCING DEADLINE FOR SATISFACTION OF REQUIREMENT.

--Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended by striking "2007" and inserting "2003".

(d) WAIVER.--Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended--

(1) by striking "On or after" and inserting the following: "(A) IN GENERAL.--Except as provided in subparagraph (B), on or after"; and

(2) by adding at the end the following: "(B) LIMITED WAIVER AUTHORITY.--For the period beginning October 1, 2003, and ending September 30, 2007, the Secretary of State may waive the requirement of subparagraph (A) with respect to nationals of a program country (as designated under subsection (c)), if the Secretary of State finds that the program country--

"(i) is making progress toward ensuring that passports meeting the requirement of subparagraph (A) are generally available to its nationals; and

"(ii) has taken appropriate measures to protect against misuse of passports the country has issued that do not meet the requirement of subparagraph(A).".

* * *

SEC. 1002. SENSE OF CONGRESS.

(a) FINDINGS.--Congress finds that--

(1) all Americans are united in condemning, in the strongest possible terms, the terrorists who planned and carried out the attacks against the United States on September 11, 2001, and in pursuing all those responsible for those attacks and their sponsors until they are brought to justice;

(2) Sikh-Americans form a vibrant, peaceful, and law-abiding part of America's people;

(3) approximately 500,000 Sikhs reside in the United States and are a vital part of the Nation;

(4) Sikh-Americans stand resolutely in support of the commitment of our Government to bring the terrorists and those that harbor them to justice;

(5) the Sikh faith is a distinct religion with a distinct religious and ethnic identity that has its own places of worship and a distinct holy text and religious tenets;

(6) many Sikh-Americans, who are easily recognizable by their turbans and beards, which are required articles of their faith, have suffered both verbal and physical assaults as a result of misguided anger toward Arab-Americans and Muslim- Americans in the wake of the September 11, 2001 terrorist attack;

(7) Sikh-Americans, as do all Americans, condemn acts of prejudice against any American; and

(8) Congress is seriously concerned by the number of crimes against Sikh-Americans and other Americans all across the Nation that have been reported in the wake of the tragic events that unfolded on September 11, 2001.

(b) SENSE OF CONGRESS.--Congress--

(1) declares that, in the quest to identify, locate, and bring to justice the perpetrators and sponsors of the terrorist attacks on the United States on September 11, 2001, the civil rights and civil liberties of all Americans, including Sikh-Americans, should be protected;

(2) condemns bigotry and any acts of violence or discrimination against any Americans, including Sikh-Americans;

(3) calls upon local and Federal law enforcement authorities to work to prevent crimes against all Americans, including Sikh-Americans; and

(4) calls upon local and Federal law enforcement authorities to prosecute to the fullest extent of the law all those who commit crimes.

Privacy Impact Assessment
for the

REAL ID Act

In conjunction with the Notice of Proposed Rulemaking, Minimum Standards for Driver's Licenses and Identification Cards Acceptable by Federal Agencies for Official Purposes

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Abstract

The Department of Homeland Security (DHS) Privacy Office is conducting a Privacy Impact Assessment (PIA) on the rule proposed by DHS to implement the REAL ID Act. The authority for this PIA is Subsection 4 of Section 222 of the Homeland Security Act of 2002, as amended, which calls for the Chief Privacy Officer of the Department of Homeland Security (DHS) to conduct a "privacy impact assessment of proposed rules of the Department." This analysis reflects the framework of the Privacy Office's Fair Information Principles, which are: Transparency, Individual Participation, Purpose Specification, Minimization, Use Limitation, Data Quality and Integrity, Security, and Accountability and Auditing. The Privacy Office conducts PIAs, whether under Subsection 4 of Section 222 or under Section 208 of the E-Government Act, to ensure that DHS is fully transparent about how its proposed rules, final rules, and intended information technology systems may affect privacy and to review alternative approaches and technologies that may minimize the privacy impact on individuals. This PIA examines the manner and method by which the personal information of American drivers and identification (ID) holders will be collected, used, disseminated, and maintained pursuant to the proposed rule issued under the REAL ID Act. This PIA will be updated, as necessary, when the rule is final.

Introduction

This PIA is prepared pursuant to Subsection 4 of Section 222 of the Homeland Security Act of 2002, as amended, which calls for the Chief Privacy Officer of DHS to conduct a "privacy impact assessment of proposed rules of the Department."[1] Section 208 of the E-Government Act (Public Law 107-347) also provides for PIAs for all new or substantially changed technology that collects, maintains, or discloses personal information. Distinct from the PIA required under Section 208, Subsection 4 of the Homeland Security Act authorizes the Chief Privacy Officer to conduct a privacy impact assessment of proposed departmental regulations, which may or may not involve a particular technology system. The authority under Subsection 4 is significant since a proposed rule may raise privacy considerations regarding information practices that do not involve technology or a proposed rule may address technology systems that the Department does not own or control. Therefore, Subsection 4 provides the Chief Privacy Officer with the broadest authority to identify and comment on privacy matters resulting from proposed departmental regulations and to do so in a manner that is public.

This PIA examines the manner and method by which the personal information of American drivers and ID holders will be collected, used, disseminated, and maintained pursuant to the proposed rule promulgated under the REAL ID Act (the Act).[2] This analysis reflects the framework of the Privacy Office's Fair Information Principles, which are: Transparency, Individual Participation, Purpose Specification, Minimization, Use Limitation, Data Quality and Integrity, Security, and Accountability and Auditing. This PIA will be updated, as necessary, when the rule is final.

The Notice of Proposed Rulemaking (NPRM) establishes minimum standards for state-issued driver's licenses and identification cards that federal agencies will accept for "official purposes" after May 11, 2008.

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[1] Homeland Security Act of 2002, 6 U.S.C. § 142(4), Pub. L. 107-296, 116 Stat. 2135, 2155 (November 25, 2002), as amended ("(4) conducting a privacy impact assessment of proposed rules of the Department or that of the Department on the privacy of personal information, including the type of personal information collected and the number of people affected").
[2] Division B—REAL ID Act of 2005, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Pub. L. 109-13, 119 Stat. 231, 301 (2005) (codified at 49 U.S.C. 30301 note).

Specifically, the Act mandates minimum document and information verification requirements, security features, physical security standards for locations that issue driver's licenses and identification cards, and background checks for Department of Motor Vehicle (DMV) employees who have the ability to affect the identity information that appears on the credentials, have access to the production process, or are involved in the manufacturing of the credentials (covered employees). In addition, the NPRM provisions call for security standards to ensure that the valuable information state DMVs collect will be protected and not used as a source for identity fraud or theft.

The Act and its proposed implementing regulation will result in issuance of credentials that are tamper-resistant and better identity documents than the current driver's license and identification card issued by the states. A better credential should help address the use of falsified credentials in perpetrating identity theft. In addition, as a result of the Act, state databases will contain standardized photo images that will allow law enforcement agencies to use facial-recognition technology to help apprehend criminals, and the state DMVs will be able to use the images and application data to prevent drivers whose licenses have been revoked in one state from obtaining them in another.

This PIA analyzes the major privacy concerns posed by the Act and addressed in the NPRM. The first and overarching concern is whether the Act and the implementing regulations will result in the creation of a national identity card or database. The second is whether and how the personal information associated with implementation of the Act will be protected from unauthorized access or use. The third is whether and how the personal information stored in digital format on the credentials will be protected against unauthorized uses. This PIA discusses several additional privacy issues that were not raised in the Privacy Considerations section of the NPRM, including the proposed requirements that a photograph and address appear on the credential and that DMVs conduct a financial history check on covered employees.

The Privacy Office strongly supports the application of the privacy protections discussed in the NPRM to protect the personal information associated with REAL ID driver's licenses and identification cards stored in state databases and encourages public comment on the privacy and security issues posed at the conclusion of the Privacy Considerations section of the NPRM including: state comprehensive security plans; access to information collected by states pursuant to the REAL ID Act and the protection of such information stored in state databases; and the operation and governance of electronic verification by states of driver's license application information.

The Privacy Office recommends that the final rule continue to address privacy issues clearly and that it define sufficient privacy protections to ensure that DHS can audit and certify their implementation by the states. Moreover, as discussed below in Section II.C. of this PIA, to the extent technically and operationally feasible, the Privacy Office believes there is a strong privacy rationale for cryptographic protections to safeguard the personal information stored digitally in the machine-readable zone (MRZ) on the credentials.

I. Legislative History

The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005[3] contained the provisions for the REAL ID Act of 2005, which repealed the driver's licensing section of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA).[4] While the REAL ID Act does not contain an explicit requirement that DHS enact rules to protect the privacy rights of individuals

[3] Pub. L. 109 -13, 119 Stat. 231, 302 (2005)(codified at 49 U.S.C. § 30301 note).
[4] Pub. L. 108-458, 118 Stat. 3638, 3827 (December 17, 2004)(codified at 49 U.S.C. § 30301 note).

who apply for and hold driver's licenses and personal identification cards, the legislative history of the Act supports the conclusion that Congress intended DHS to do so. The House Conference Report for the REAL ID Act includes several key statements of Congressional intent regarding privacy.[5] For example, in its discussion of section 202(d)(12) of the Act, which requires each state to provide electronic access to the information in its motor vehicle databases to all of the other states, the Conference Report makes clear that Congress recognized the need for the regulations to address privacy and security and that those protections should be at least the equivalent of existing federal protections. The Conference Report reads in relevant part:

> *DHS will be expected to establish regulations which adequately protect the privacy of the holders of licenses and ID cards which meet the standards for federal identification and federal purposes.*[6]

In addition, the Conference Report discussion of Section 202(b)(9) of the Act, which calls for using "a common machine-readable technology, with defined minimum data elements," clearly indicates that Congress wanted privacy to be a consideration in implementing the technology. The Conference Report states:

> *There has been little research on methods to secure the privacy of the data contained on the machine readable strip. Improvements in the machine readable technology would allow for less data being present on the face of the card in the future, with other data stored securely and only able to be read by law enforcement officials."*[7] *(Underlining for emphasis, not in the original)*

This statement suggests that Congress wanted to secure the privacy of the data contained on the machine readable zone (MRZ) of the credential and make it accessible only to law enforcement officials. The current understanding is that a potential way to control access to the data on the 2D bar code by third parties, which is the technology DHS has selected to be used in the REAL ID credentials, is encryption. The issue of how to protect this information is discussed in Section II.C. of the PIA, below.

The Conference Report language described above, coupled with the requirement in Section 202(d)(7) of the Act to "ensure the physical security of locations where driver's licenses and identification cards are produced and the security of document materials and papers from which driver's licenses and identification cards are produced," provide the legislative basis to include privacy protections and safeguards for both the personal information collected and used in connection with the issuance of REAL ID driver's licenses and identification cards and the personal information stored on these credentials.

II. The Privacy Impact of the REAL ID Act and the NPRM

The public has long been accustomed to providing personal information for the purpose of obtaining driver's licenses and identification cards. This includes having this information printed on the face of these credentials and, in most states, included in a machine readable technology (MRT), such as a bar code or magnetic strip on the rear of the credential. The enactment of the REAL ID Act increases the attention on the privacy ramifications of what information will appear on the driver's licenses and identification cards issued under the Act and the privacy of the information that will be exchanged. Some privacy advocates and members of the public have raised concerns that the Act could create an increased risk of identity theft

[5] H.R. Rep. No 109-72 (2005) (Conf. Rep.)
[6] Id. at 184. .
[7] Id. at 179.

and erode privacy or be a stepping-stone to a national identity card, because of the standardization of the information that will be presented on the credential, the uniformity of the process for issuance of the credentials, and potential federal access to the mandated information.

As described below, DHS has sought to address the privacy concerns within the limits of its authority under the Act.[8] At the federal level, only the Driver's Privacy Protection Act of 1994 (DPPA)[9] addresses the privacy of motor vehicle records, but as described below in Section II.B. of the PIA, its protections are narrowly focused. It is therefore necessary to build federal protections into the REAL ID rulemaking to augment existing state administrative and statutory privacy protections. This section of the PIA summarizes the requirements of the Act that potentially have the greatest impact on privacy, the extent to which those requirements change current state driver's licensing practices, and how DHS intends to address concerns that the Act will result in a national identity card or database and erode privacy. The privacy concerns surrounding a national identity card stem from the REAL ID Act itself and not from DHS's proposed rulemaking, because DHS does not have authority to control third-party use or potential use of the REAL ID credential or associated identifier.

The PIA addresses the key privacy issues posed by the Act: (1) Does the REAL ID Act create a national identity card or database; (2) How will personal information required by the REAL ID Act be protected in the state databases; (3) How will the personal information stored on the machine readable technology on the driver's licenses and identification cards be protected from unauthorized collection and use; and (4) Do the requirements for a photograph and address on the credential and the DMV employee background check erode privacy.

A. Does the REAL ID Act create a national ID or database?

The overarching privacy concern regarding the Act is that it will create a national ID or database on all driver's license and identification card holders. The Privacy Office is mindful of Congress's views on national identification cards, expressed in Section 1514 of the Homeland Security Act of 2002.[10] This PIA discusses both the issue of a national identity card/number and the issue of a national database, as they are related but not identical concerns. First, it is yet unclear whether a REAL ID compliant driver's license or identification card will become any more of a national ID than the Social Security Number (SSN) or existing state-issued driver's licenses and identification cards. An argument exists that both the SSN and existing state credentials already create *de facto* national identifiers. Nevertheless, it is likely that given the stringent verification process to obtain a REAL ID credential and the security features proposed in the NPRM to prevent credential counterfeiting and tampering, the REAL ID credential may soon be considered the most reliable credential to ascertain an individual's identity.

Nonetheless, it is important to understand whether and how the Act may change the use of driver's licenses by the public and private sectors Although the REAL ID Act will make the driver's license and number a more reliable identifier, it is not yet clear to what extent it will expand the use of the license or number.

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[8] DHS has taken steps to protect privacy pursuant to its authority under Section 202(d)(7) to address the security of the information DMVs will collect and use related to implementation of the Act and its authority to define the machine-readable technology. This is consistent with the House Conference Report (*See* H.R. Rep. No 109-72 at 179, 184 discussing section 202(b)(9) [the machine-readable technology] and 202(d)(12) [the state data exchange] of the Act.

[9] Pub. L. 103-322 as amended by Pub. L. 106-69, 18 U.S.C. § 2721 et seq.

[10] Section 1514 states the following: "Nothing in this Act shall be construed to authorize the development of a national identification system or card."

The REAL ID Act, however, does not limit the ability of Congress or the states in the future to restrict the use of the REAL ID or its unique number beyond the uses specified in the Act and the proposed regulations. Although DHS is mindful of these issues, the future use of the new credential by third parties and not this rulemaking will ultimately determine whether the REAL ID credential will become a national ID and whether further protections from Congress may be warranted.

1. Use of a Unique Identifier

Third parties such as financial institutions, retailers, hotels, health-care providers, and others may consider the REAL ID credential to be a more reliable identification card than existing credentials, including current driver's licenses, and may begin to request this credential in conjunction with a wide variety of transactions, including applications for employment, opening credit or other accounts, making credit purchases, or other transactions in which it is necessary to ascertain the identity of the individual involved in the transaction. This could be helpful in reducing the incidence of fraudulent face-to-face transactions, but only if the third party actually compares the information on or associated with the credential with the individual presenting it, such as examining the signature or photograph of the individual. A REAL ID credential, however, cannot provide assurance of identity for transactions that take place remotely on the Internet or by phone.

The NPRM limits the scope of "official purposes" of the credential to the uses specified in the REAL ID Act: (1) accessing federal facilities; (2) boarding federally-regulated aircraft; and (3) entering nuclear power plants.

All identity systems trigger privacy concerns and extend not only to the use of a credential, but to the use of any unique number associated with the credential. Section 202(b)(4) of the REAL ID Act requires that each REAL ID driver's license or identification card include the person's unique "driver's license or identification card number." For privacy reasons, federal law already prohibits the display of an individual's SSN on a driver's license,[11] but the unique ID number on a REAL ID credential, if left unregulated, could be misused in similar ways. This is a risk inherent to the law enacted by Congress and the proposed implementing regulations cannot ameliorate this risk. Thus, for example, if retailers, healthcare providers, financial institutions, insurers, and other private or government entities were to collect the credential and record the ID number whenever individuals engaged in a transaction, the REAL ID's unique number could pose the same, if not greater, risks as experienced in the use of the SSN.[12]. As discussed in Section II.C. below, the collection of personal information from the credential could be further facilitated by the skimming of the digital information stored in the MRZ if it is not encrypted or such actions are not prohibited by law.

Our system of government with its checks and balances can prevent such an erosion of privacy and civil liberties, if protections are built into the identity system from the very beginning. Of course, unlike a SSN, a person's driver's license number may change over time if the person moves from one state to another. Moreover, even under the REAL ID Act, Congress and state governments always retain the ability to restrict the use of a REAL ID as a unique identifying number in the future if warranted.

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[11] Section 7214 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. 108-458, 118 Stat. 3638, Dec. 17, 2004) amended section 205(c)(2)(c)(vi) of the Social Security Act (42 U.S.C. 405(c)(2)(C)(VI)).

[12] The risks associated with the SSN are increasingly being addressed through legislation to limit its use, such as Section 7214 of the Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. 108-458, December 17, 2004, preventing its display on driver's licenses.

Some of the public concern about the REAL ID stems from the history surrounding the expansive use of the SSN beyond its original purpose of recording the information necessary to provide a public pension benefit. One of the lessons learned from the use of SSNs is that once an identification number is issued, it is very difficult to limit its use.[13] A National Academy of Sciences National Research Council study of identification systems, *IDs – Not That Easy: Questions About Nationwide Identity Systems,*[14] posed serious concerns about the desirability and feasibility of a nationwide identity system. The study noted that any identity system raises significant and challenging policy, procedural, and technological issues and urged policymakers to consider a set of key questions when contemplating an identity system. This study proposed the following questions, which are appropriate to consider at this early stage of addressing the REAL ID Act: What is the purpose of the system? What is the scope of the population that would be issued an ID and recorded in the system? What is the scope of the data? Who would be the users of the system? What types of use would be allowed? Would participation be voluntary or mandatory? What legal structures protect the system's integrity as well as the data subject's privacy and due process rights, and determine the government and relying parties' liability for system misuse or failure?

Even now, over 70 years after the SSN was first introduced, the federal government is grappling with how to address the privacy and security interests surrounding the role of SSNs in facilitating identity theft. While DHS believes the issuance of REAL ID credentials can help reduce the incidence of identity theft, it is unclear whether a unique identifier associated with the REAL ID credential will over time suffer the same problems as those associated with the SSN. The only way to prevent misuse of any identifier is to establish enforceable restrictions at the time any REAL ID identifier is introduced. For a number of years, many bills have been proposed in the Congress to address misuse of the SSN; however, none have been passed because it is a challenge to limit the use of the SSN now that it has become such a common identifier in the marketplace.

Although DHS cannot address all of these concerns about a national ID or the use of the unique identification number because DHS can only act within the authority granted under the REAL ID Act, DHS can play an important role in eliminating the concern that implementation of the Act would result in the creation of a national database. The NPRM does not propose to create a national database. This concern stems from the provisions in the Act requiring that the individual states: (1) electronically verify application information against federal databases; and (2) provide state-to-state access to verify that the applicant only holds a valid driver's license or identification card in one jurisdiction. Furthermore, storing personal information in a uniform and standardized manner, such as the information on individuals possessing REAL ID credentials, poses a significant security risk given the value of this collection of information. Consequently, the Privacy Office recommends that states, with participation of the affected federal agencies, develop and implement a governing structure to devise the business rules and requirements that apply to the operation of both the state-to-federal data query and the state-to-state data exchanges. This concept would be substantially similar to current governance practice in the issuance and management of state driver's licenses and identification cards.

As discussed below, an architecture for implementing the mandated data verifications and exchanges can be designed, governed, and operated to avoid the creation of a national database. The key will be to ensure that the states administer and manage the systems built to implement the Act. In addition, with appropriate

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[13] *See* GAO Reports on SSNs: GAO-02-352, GAO-05-1016T,

[14] Stephen T. Kent and Lynette I. Millett (Editors), *IDs—Not That Easy: Questions About Nationwide Identity Systems*, National Academy of Sciences (2002)

and necessary participation from the affected federal agencies, including DHS, the Department of Transportation, and the Social Security Administration, the states must be empowered to develop the business rules surrounding the check of federal reference databases and the state-to-state data exchange processes. State, rather than federal, operation and control of the systems not only minimizes the appearance of a national database, but also fosters the system of federalism upon which our country is based.[15] The language in the Preamble of the NPRM supports the important role of the states.

2. The State Query of Federal Reference Databases

Section 202(c)(3)(A) of the REAL ID Act requires a state before issuing a driver's license or identification card to verify with the issuing agency the issuance, validity, and completeness of each document required to be presented. It is difficult to validate that source documents, such as a birth certificate, Permanent Resident Card, and foreign passport with a valid unexpired U.S. visa, are genuine and have not been altered. The proposed regulation contemplates that certain identifying data contained in source documents will be checked electronically against federal reference databases. Specifically, states may be required to verify the data within the source documents against the following federal databases:

- Systematic Alien Verification for Entitlements (SAVE) database operated by DHS U.S. Citizenship and Immigration Service (USCIS);[16]
- Social Security On-Line Verification (SSOLV) database operated by the Social Security Administration (SSA);
- Electronic Verification of Vital Events (EVVE) database, the birth certificate verification pilot operated by the National Association for Public Health Statistics and Information Systems (NAPHSIS); and
- Department of State systems for verifying data from U.S. Passports, Consular Reports of Birth, and Certifications of Reports of Birth.

Many state DMVs already access one or more of these databases as part of their current licensing process; however, the fact that this data verification will now be done by fifty-six jurisdictions – the fifty states plus the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands -- heightens privacy concerns about how the data checks will be performed, who will administer and operate the state query of federal reference databases, how the query or queries will be structured, who will have access to the data, and what will be the business rules surrounding the check to protect the privacy of the applicants' data. The NPRM addresses many of these issues by leaving the control and operation of this data check, including the development of the business rules, to the states. Additionally, the NPRM proposes that individual states document their business rules for reconciling data quality and formatting issues and urges states to develop best practices and common business rules by means of a collective governance structure.[17]

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[15] Note that the database connectivity mandated by the REAL ID Act is in addition to the database connectivity/functionality required to implement the Department of Transportation's existing control over commercial driver's licensing. In addition, law enforcement already have access directly to a state's driver history via NLETS, which is the International Justice & Public Safety Information Sharing Network, a message switching system serving the criminal justice community.

[16] The DHS Privacy Office is conducting a Privacy Impact Assessment for the SAVE program. It will be published on its website at www.dhs.gov/privacy.

[17] "Privacy Considerations," Section II.C.1(a) of the NPRM.

A very important example of how administration of the data check will be left to the states is the commitment by DHS in the NPRM to support the development of a "federated querying service" enabling the states access to federal reference databases in a timely, secure, and cost-effective manner.[18] Most states query some of these federal reference databases either directly or indirectly today through a portal provided by the American Association of Motor Vehicle Administrators (AAMVA).[19] DHS indicates in the NPRM its commitment to expediting the development and deployment of a common querying service to facilitate the state DMV queries for REAL ID data verification. Since certain databases will be connected, it will be critical from a privacy perspective to clarify which parties control the data systems and which parties have access to the data systems.

To address the privacy concerns posed by such a federated querying service, the Preamble to the NPRM contains a number of important statements. First, it sets forth the narrow purpose of the service: "The purpose of this federated querying service will be to minimize the impact of data verification on State DMV business processes and reduce the costs of data access."[20] Second the Preamble goes on to make the following commitment: "DHS will support the development of [a] querying service but will not operate or control this service." And third, it states: "A frequently-heard concern relates to the amount of additional information the Federal Government will have about driver's license holders and what the Federal Government will do with that data. In fact, however, neither the Real ID Act nor these proposed regulations gives the Federal Government any greater access to information than it had before. Moreover, there is no information about a licensee that the Federal Government will store that it is not already required to store."[21]

The commitments made in the NPRM demonstrate that DHS does not intend to expand the purpose for which the querying service will be built and will seek to mitigate the privacy concerns. In addition, the NPRM states that use of this federated querying service will be voluntary and that states may choose to: maintain or establish direct access to the reference databases; combine direct access with partial use of a common service; or verify applicant data against the reference databases in some other manner. Leaving the control and operation of the licensing verification with the states helps mitigate the fears expressed by some that the REAL ID Act will result in a national database operated by the federal government.

Furthermore, as part of the state certification mandated by Section 202(a)(2) of the REAL ID Act, the NPRM proposes that each state prepare a Comprehensive Security Plan for its DMV facilities and the driver's license information storage and production facilities, databases and systems. (See Proposed Rule § 37.41 and Preamble section II.K.) As part of this, each state will submit a privacy policy regarding the personal information collected and maintained by the DMV and will demonstrate how it will protect the information collected, stored, or disseminated for purposes of complying with the REAL ID Act, including procedures to prevent unauthorized access, use, or dissemination of applicant information and images of source documents, and standards and procedures for document retention and destruction. Also, the Privacy Considerations section of the NPRM notes that DHS expects that a state's certification should demonstrate

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[18] "Connectivity to Systems and Databases Required for Verification," section II.E.6 (a)(ii) of the NPRM.
[19] Founded in 1933, AAMVA is a nonprofit voluntary association representing the State and provincial officials in the United States and Canada who administer and enforce the laws that govern motor vehicle operation, the driver credentialing process, and highway safety enforcement. DMV administrators are appointed by their State governors and serve on the AAMVA Board of Directors and its committees. AAMVA has played an integral role in the development, deployment, and monitoring of both the commercial driver's license (CDL) and motor carrier safety programs throughout the United States, and its members are responsible for administering these programs at the State level.
[20] "Privacy Considerations," Section II.E.6 (a)(ii) of the NPRM.
[21] "Privacy Considerations," Section II.C of the NPRM.

that it has implemented best practices to protect the privacy of the license holder as guided by the fair information principles that underlie the federal, state, and international law and codes of practice. (See further discussion of the Comprehensive Security Plan in section II.B of the PIA, below.)

3. *The State-to-State Data Exchange*

Section 202(d)(12) of the Act mandates that states provide electronic access to information contained in the motor vehicle database of the state to all other states, and Section 202(d)(13) requires that the state motor vehicle database contain, at a minimum, all data fields printed on driver's licenses and identification cards and motor vehicle driver's histories, including motor vehicle violations, suspensions, and points on licenses.[22] (See Proposed Rule § 37.33.) These two provisions mandate a state-to-state data exchange. The NPRM contemplates that the states will work collectively to determine the business process and data access rules necessary to implement these provisions prior to May 11, 2008.[23]

As described in Section II.E of the NPRM, although the REAL ID Act poses a requirement for this state-to-state data exchange, this exchange is already required and implemented under the Department of Transportation's (DOT) existing rules and regulations governing commercial driver's licenses (CDLs).[24] The DOT requires that states connect to the National Driver Register (NDR)/Problem Driver Pointer System (PDPS)[25] and the Commercial Driver's License Information System (CDLIS) in order to exchange information about commercial motor vehicle drivers, traffic convictions, and disqualifications. A state must use both the NDR/PDPS and CDLIS to check a driver's record, and also check CDLIS to make certain that the applicant does not already have a CDL.[26] Under these programs, as well as under the REAL ID Act, the primary purpose of the state-to-state data exchange is to determine if the applicant is unqualified and if the application is fraudulent rather than specifically verifying the applicant's identity.

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[22] The information available in each jurisdiction's database varies, but generally they already store what is required by the Act.

[23] *See* the Privacy Considerations section of the NPRM.

[24] Commercial drivers licenses (CDL) are governed by the National Driver Register Act of 1982 and the Commercial Motor Vehicle Safety Act of 1986 (CMVSA), both implemented by DOT. (49 U.S.C 31311(a)) as amended.) The CMVSA requires that a commercial driver license (CDL) holder have one and only one driver license and driver record, meaning that a CDL license holder cannot hold a non-CDL from another jurisdiction. The Commercial Driver's License Information System (CDLIS) was consequently developed to enable the record checks of the nation's professional truck and bus drivers, including drivers of HAZMAT vehicles. It is an enhanced, pointer system that requires the states to update records and exchange data. CDLIS maintains nine data elements on all CDL holders: name and aliases, date of birth, SSN, driver's license number, state of record, gender, height, weight, and eye color. All other information is retained by the licensing state.
When CDLIS was first built, states were required to check CDLIS before issuing a CDL to make sure someone did not have a CDL in a previous state. That requirement was not enough, however, to prevent someone from obtaining a non-CDL license in a different state and using that license when driving his own car. As a result, the DOT's Federal Motor Carrier Safety Administration (FMCSA) developed new regulations under the Motor Carrier Safety Improvement Act (MCSIA) of 1999 to require that ALL license applicants be run against CDLIS to address this loophole. (23 CFR § 1327.5) CDLIS is operated by AAMVA on behalf of DOT and is accessed through AAMVAnet, a network service operated by AAMVA.

[25] The NDR/PDPS was established by the National Driver Register Act of 1982 and is administered by National Highway Transportation Security Administration (NHTSA) but accessed through AAMVAnet.
The PDPS is used to search the NDR and will "point" the inquiring jurisdiction to the State of Record, where an individual's driver status and history information is stored. The NDR contains identification data for individuals under suspension or revocation, and/or who have committed serious motor vehicle-related violations. By compact or convention, every state respects every others state's suspensions/revocations. The PDPS record contains five data elements: name and aliases, date of birth, driver's license number, and State of Record. Jurisdictions have the option of also sending SSN, height, weight, and eye color. The 2003 Privacy Impact Assessment for the NDR is posted at http://www.dot.gov/pia/nhtsa_ndr.htm

[26] A state may also send a query to another state for the full history of a driver without going to the CDLIS or PDPS pointer files. Only certain highway-safety related offenses are transmitted on a driver's history obtained from PDPS.

The existing state-to-state data exchange among DMVs, while focused on commercial driver's licensing, also impacts non-commercial license applicants, as states are required currently to run all license applicants against the PDPS and CDLIS, which are both pointer systems that collect limited information from each state in order to match against the incoming inquiries. Both systems offer certain mandatory privacy protections.

The PDPS is subject to federal regulations 23 CFR Sections 1327.1 et seq., which adopts the Privacy Act of 1974[27] principles of individual participation and collection, use, and disclosure limitation. On the other hand, CDLIS may be subject to more limited privacy protections, because DOT's policy states that CDLIS is not a federal "system of records," as defined by the Privacy Act since the records in CDLIS are not controlled by DOT's Federal Motor Carrier Safety Administration (FMCSA).[28] Under DOT policy, drivers who wish to review and, if necessary, correct information about them in CDLIS must contact the state agency that issued their license. Access to CDLIS is limited to DOT, the states, an employer or prospective employer of a person who operates a commercial motor vehicle, and to federal agencies upon written request where there is a legal basis and need.[29] DHS is not aware of any privacy issues with the CDLIS implementation.

The NPRM states that DHS intends to work closely with the DOT, AAMVA, and the states to fulfill the requirements for the state-to-state data exchange under the REAL ID Act, while also supporting privacy protections for this exchange. It has not been determined whether CDLIS or some other service will be the platform for the state-to-state exchange, but regardless of the platform, it will be necessary for the states, working with DHS and DOT, to define the privacy protections for any state-to-state data exchange, including how it will be operated and controlled and who will have access.

For example, with support from DHS staff, representatives of the DMVs of California, Iowa, Massachusetts, and New York formed a "Federation" in July 2006 to identify a collective governance structure for the state-to-state data exchange and to begin to develop business rules, including privacy protections. This Federation recently joined with the AAMVA REAL ID Steering Committee to develop an independent governance structure for the state-to-state data exchange. The development of privacy protective business rules and standards and a governance mechanism will be central to ensuring that the privacy of license holders is protected.

B. How will personal information required by the REAL ID Act be protected in the state databases?

At the federal level, only the Driver's Privacy Protection Act of 1994 (DPPA)[30] addresses the privacy of motor vehicle records, but its protections are narrowly focused. The DPPA addresses the use and disclosure of personal information stored in state motor vehicle records, but it does not prescribe privacy protections for the personal information stored on the credentials themselves nor does it set any security requirements for the motor vehicle databases. Rather, the DPPA simply prohibits DMVs from disclosing "personal

[27] The Privacy Act of 1974, 5 U.S.C. §552a.
[28] FMCSA's Policy on Availability of Information From the Commercial Driver's License Information System, 70 Fed. Reg. 2454, January 13, 2005.
[29] Id. A federal agency is required to execute a Memorandum of Understanding with DOT and/or FMCSA before access to CDLIS data will be provided.
[30] Pub. L. 103-322 as amended by Pub. L. 106-69, 18 U.S.C. § 2721 et seq.

information" contained in a DMV "motor vehicle record,"[31] unless the disclosure falls within fourteen permissible uses,[32] including disclosure to any federal, state or local government agency to carry out that agency's legitimate functions. In effect, the DPPA serves only as a prohibition on the sale of the personal information found in motor vehicle records for marketing purposes.[33] Consequently, the personal information found in motor vehicle records is widely available through information brokers for the enumerated uses including fraud prevention and insurance purposes. Moreover, the DPPA authorizes resale or redisclosure of the information so long as it is for one of the fourteen permissible uses, making abuses of the DPPA very difficult to monitor or, even, to trace.[34] Therefore, DHS cannot rely on the DPPA to protect the privacy of the personal information required under the REAL ID Act.

Section 202(d)(7) of the REAL ID Act requires states to "ensure the physical security of locations where driver's licenses and identification cards are produced and the security of document materials and papers from which driver's licenses and identification cards are produced." The NPRM relies on this provision as authority for DHS to define basic security program requirements to ensure the integrity of the REAL ID driver's licenses and identification cards and to protect the security of the personal information stored in DMV databases associated with these driver's licenses and identification cards.[35] The NPRM notes that the House Conference Report discussion of this section of the Act expressed concern with the "growing problem of identity thieves and document purveyors breaking into state facilities and stealing driver's license or identification card stock blanks, printing machines, and sometimes actual computer hard drives in which current driver's license or identification card holder data is stored."[36] Also the NPRM cites to the number of state DMVs that experienced incidents of theft of personal information from their databases[37]

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[31] The DPPA authorizes 14 permissible uses for "personal information," which it defines to include "an individual's photograph, social security number, driver identification number, name, address (except the five-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status." 18 U.S.C. § 2725(3). It defines a "motor vehicle record" as "any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles." 18 U.S.C. § 2725(1).

[32] The permissible uses are: (1) use by any government agency, including any court or law enforcement agency, in carrying out its functions; (2) use in connection with motor vehicle-related matters (motor vehicle or driver safety and theft; motor vehicle emissions, motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, parts and dealers by motor vehicle manufacturers, motor vehicle market research activities, and removal of non-owner records from the original owner records of motor vehicle manufacturers); (3) use in the normal course of business by legitimate businesses, but only to verify accuracy of personal information submitted by an individual to the business and if no longer correct to obtain correct information but only for purposes of preventing fraud by pursuing legal remedies against or recovering on a debt or security interest against the individual; (4) use in connection with a civil, criminal, administrative, or arbitral proceeding; (5) use in research activities so long as the personal information is not published, redisclosed, or used to contact individuals; (6) for use by any insurer; (7) use in providing notice to the owners of towed or impounded vehicles; (8) use by any licensed private investigative agency for a permissible purpose; (9) use by an employer or its agent or insurer to obtain or verify information of a holder of a commercial driver's license; (10) use in connection with operation of private toll transportation facilities; (11) any other use in response to requests for a record if the State has obtained express consent of the person; (12) for bulk distribution of surveys, marketing or solicitations if the State has express consent of the person,; (13) use by any requester, if the requester demonstrates it has obtained written consent of the individual; and (14) for any other use specifically authorized under the law of the State holder of the record, if such used is related to the operation of a motor vehicle or public safety.

[33] Originally the DPPA permitted sale of record information for use in marketing activities if the individual was given an opportunity to opt out. In 1999, Congress amended the law to require that DMVs obtain express consent for sale of record information for marketing purposes.

[34] 18 U.S.C. § 2721(c)

[35] *See* discussion in NPRM Preamble Sections II.K.4 and 5 and Proposed Rule § 37.41.

[36] H.R. Rep. 109-72, at 183 (2005) (Conf. Rep.).

[37] http://www.cdt.org/testimony/020805schwartz.shtml

and that federal and state governmental agencies have made security of personal information a high priority.[38]

Specifically, the NPRM proposes that each state submit, as part of the REAL ID Act certification process, a written document to be known as the Comprehensive Security Plan. This certification requirement provides an important safeguard for the personal information collected, used, and maintained by state motor vehicles offices and assures the public that the state handles personal information appropriately. As part of the Comprehensive Security Plan, states will provide a privacy policy;[39] describe "reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of the physical location and the personal information stored and maintained in DMV records and information systems";[40] and describe the state's "standards and procedures for safeguarding information collected, stored or disseminated for purposes of complying with the REAL ID Act, including procedures to prevent unauthorized access, use, or dissemination of applicant information and images of source documents retained pursuant to the Act and standards and procedures for document retention and destruction."[41] In addition, Section II.K.5 of the NPRM encourages states to draft collective standards and best practices for the management of both documents and data proposed under the provisions of the rule.

The NPRM proposal for the Comprehensive Security Plan provides an important privacy protection, because the Plan will assist the states to address most, if not all, of the Privacy Office Fair Information Principles as described at the outset of this PIA. The Privacy Considerations section of the Preamble to the NPRM states that the plan "should demonstrate that it has implemented best practices to protect the privacy of the license holder as guided by the fair information principles, which call for openness, individual participation (access, correction, and redress), purpose specification, data minimization, use and disclosure limitation, data quality and integrity, security safeguards, and accountability and auditing, and that these principles are widely recognized and embodied in numerous federal, state, and international law and codes of practice."[42] DHS is requesting comments on recommended best practices for protecting the privacy of the personal information stored in the various state motor vehicle databases pertaining to the requirements under the REAL ID Act. The Privacy Office supports appropriate privacy protections and procedures to protect the personal information associated with implementation of the Act that are consistent to the greatest extent possible with the Fair Information Principles.

C. How will the personal information stored on the machine readable technology on the licenses and IDs be protected from unauthorized collection and use?

The implementation of any digitized collection of information increases the efficiency by which that information can be accessed. Records, which were once accessible only in human-readable format, in digital form can be readily accessed and then used in ways beyond the original purpose of the records. This inherent capacity of digital records requires closer scrutiny of which records and what information is accessible in digital form, because efficiency in access and availability for additional uses raises important privacy issues.

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[38] *See* Office of Management and Budget Memoranda, M-06-15, M-06-16, and M-06-19.
[39] Proposed Rule § 37.41(b)(5)
[40] Proposed Rule § 37.41(b)(1)(iii)
[41] Proposed Rule § 37.41 (b)(8)
[42] *See* NPRM section II.C.2.

Sections II.H.7-9 of the NPRM review the issues surrounding the personal information stored on the machine readable technology (MRT) on the REAL ID licenses and IDs. The REAL ID Act standardizes the minimum personal information on the ID and mandates the use of a MRT. The NPRM proposes that states use the PDF-417 2D bar code and indicates that DHS leans toward recommending that states protect the personal information stored in this 2D bar code by requiring encryption, if the operational complexity of deploying a nationwide encryption infrastructure to provide access to law enforcement can be addressed. The issue of encryption of the 2D bar code is one of software and infrastructure costs and not hardware cost, since the widely used 2D bar code reader can also be used to read the encrypted data.

The NPRM discusses the privacy concerns raised by the potential for unauthorized third parties to collect and use the personal information on REAL ID driver's licenses and identification cards via a machine readable zone (MRZ). Although DHS lacks authority to prohibit third-party access to the information in the MRZ, DHS can determine to require technological protections to the MRZ, because the REAL ID Act gives DHS authority to select the technology and its implementation.

As discussed earlier in this PIA, the DPPA has not been interpreted to provide any privacy protections for the personal information stored on the driver's licenses. Currently, most states use the 2D bar code recommended in the NPRM, exposing the information stored on the credential to unauthorized collection or "skimming," the term often used to describe this sort of information capture by unauthorized third parties. Readers for the 2D bar code are readily available for purchase on the Internet and at a very low cost, which permits unauthorized third parties to skim the information for their own business needs or to sell to other third parties.

With skimming an existing problem, the REAL ID Act does not contain any statutory language to address the downloading, access, and storage by third parties of the information in the MRZ. Third parties, such as retailers, hotels, bars, and convenience stores, could invest in economical skimming devices to access information on any individual's credential for unauthorized uses. Furthermore, the Act's requirement that each REAL ID credential contain a unique identifier provides an opportunity for third parties to normalize data stored about individuals within large data warehouses. Like the situation with SSNs, this normalization would provide links between the identifier and the individual. Thus, if a retail entity were to collect just the unique identifier from the REAL ID credential and associate it with the transactional information related to the interactions the individual has with the retailer, this information could be useful to any third party. The REAL ID Act presents two risks in this situation. One, greater amounts of data about transactions could be linked to an individual. Two, third parties may assume that the credential holder was in fact the credential owner and so may not verify sufficiently the picture and/or signature on the credential, as often occurs today with credit cards. This could lead to the possibility of incorrect information being linked to an individual because of an incorrect recording of the unique identifier.

As usual, individuals will likely be unaware that their personal information on the credential has been retained by the third party, since individuals assume the third party to whom they gave the ID merely checked the information against a database for a valid purpose, such as validating an individual's age. Moreover, when a third party appropriates the personal information, individuals are often unaware, and therefore do not associate the use of their ID with unsolicited marketing or identity theft or fraud.

1. Statutory Protections

A few states have laws that expressly protect the privacy and security of the personal information encoded on driver's licenses and identification cards. For example, California,[43] Nebraska,[44] New Hampshire,[45] and Texas[46] have enacted laws to limit the skimming of driver's license or identification card information. In addition, AAMVA has drafted a "Model Act to Prohibit the Capture and Storage of Personal Information Obtained from a Driver's License or Identification Card," which allows third party users to use a transaction scan device, like a 2D bar code scanner, on the driver's license or identification card for the limited purpose of age verification. The Model Act, which prohibits any other non-governmental use of the information without the express written consent of the card holder,[47] would provide legal authorities creating privacy protections. The Privacy Office strongly encourages that all 56 jurisdictions consider and enact laws that expressly protect the privacy and security of information contained on their driver's licenses and identification cards, because this will also help address the growth of the unique REAL ID identification number becoming a *de facto* national ID by limiting its uses.

2. Ensuring Law Enforcement Access

Nonetheless, as described above in the Legislative History section of this PIA, the House Conference Report states that the overall purpose of Section 202(b)(1) is to "improve the ability of law enforcement officers at all levels to confirm the identity of the individuals presenting state issued driver's licenses or identification cards." The House Conference Report recognizes that financial institutions and even retail establishments may wish to use the credential to verify an individual; however, the Report indicates that such verification would be done using the person's signature on the credential and not the MRZ. (See House Conference Report discussion of Section 202(b)(7)) regarding the requirement for a signature.) Neither the Act nor the House Conference Report support harvesting the information from the MRZ on the credentials.

For these reasons, to the extent permitted under the Act, the use of the personal information on the REAL ID credentials should be limited to identity verification and law enforcement purposes.[48] Although there is no language in the REAL ID Act that limits how retailers, bars, banks or other third parties may use the personal information on the REAL ID driver's licenses or identification cards, the NPRM invites comment

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[43] Confidentiality of Driver's License Information, California Civil Code 1798.90.1 (Effective January 1, 2004).
[44] Storage or Compilation of Information, Revised Statutes of Nebraska 60-4,111.01 (2001). The Nebraska law limits storage or compilation of information from the license or State identification card to the statutorily authorized purposes of the DMV, the courts, or law enforcement agencies. Violation of the law is a felony.
[45] Drivers' Licenses Prohibitions, New Hampshire Revised Statutes, Title XXI, Motor Vehicles, Chapter 263, Section 263:12 (Effective January 1, 2003). The law prohibits scanning, recording, or storing of the personal obtained from the license unless authorized by the department. Non-electronic transfer of the information on the face of the license is prohibited without the consent of the license holder, except to law enforcement.
[46] Electronically Readable Information, Texas Statutes, Transportation Code, Title 7 Vehicles and Traffic, Chapter 521 Driver's Licenses and Certificates, Section 521.126 (Effective September 1, 2005). The law limits access to law enforcement, to identify a voter, to financial institutions for identification purposes and only with express consent, and upon authorization of a maritime facility to secure the facility or port.
[47] AAMVA 26-8.2-03, 2003. If the commercial user has a reasonable basis to believe that the identification card has been tampered with, or has been fraudulently issued or produced, the user may record and maintain the encoded information but only for the purpose of reporting it to appropriate administrative or law enforcement officials.
[48] Although businesses and non-governmental entities may use the credentials for the purpose of identity verification, express prohibitions from collecting and storing the information help mitigate privacy risks. Retailers and financial institutions can continue to examine the name, signature, and photo on the credentials for purposes of identity verification and the date of birth to verify age.

on ways to enable law enforcement officials to have access, while limiting access to unauthorized third parties for inappropriate uses.

3. Technological Protections

Further, in order to address both privacy issues and law enforcement needs, the NPRM asks for comments on means and methods to limit unauthorized third parties access to the digital information[49] on the credential. As noted above, the mandatory data elements to be included within the bar code are, as proposed by the NPRM: expiration date, holder's name, issue date, date of birth, gender, address, unique identification number, revision date (indicating the most recent change or modification to the visible format of the license or ID), and the inventory control number of the physical document. Because 2D bar code readers are extremely common, the data could be captured from the driver's licenses and identification cards and accessed by unauthorized third parties by simply reading the 2D bar code on the credential. For example, a bar that required a license could quickly scan the 2D bar code to prove that a person was 21 or over to enter the bar, but at the same time conceivably obtain the person's name and address and compile a list of names and addresses of its patrons, along with the other encoded data, including the unique identification number, which the bar could subsequently sell or use.

Encryption can help mitigate this privacy risk because it would prevent the downloading of the information on the MRZ into a database. Of course the encoded data remains available and accessible on the face of the card in human-readable form; however, encryption lessens the likelihood of the collection, because it would reduce the efficiency of the digital information on the credential by limiting access to only those parties, such as law enforcement, that require the information, but retains efficiency for parties permitted to access the information. Even if a third party compromises or breaks the encryption, which would be difficult, the encryption would still protect against most skimming, as most third parties would not have access to the compromised key. Further, at that point, the cryptographic key could be modified to protect credentials issued after the compromise of the encryption.

Because encryption of the data necessitates access to the cryptographic key required to decrypt the data, employing encryption in the 2D bar code would require having a key infrastructure allowing permitted parties access to the secured key information. The need for a key infrastructure to support access to encrypted 2D bar code data raises an important challenge for implementation of encryption.

In the NPRM, DHS asks for comment to determine (1) if implementing encryption is feasible from an operational and cost perspective and (2) if encryption can be deployed in a manner ensuring access to the information by law enforcement. It is recognized that implementing encryption would likely require a complex and comprehensive exchange of encryption keys among all fifty-six jurisdictions involved in issuing and accessing REAL ID driver's licenses and identification cards. Building such an infrastructure would have certain complexities that, if not addressed appropriately, could reduce the utility of creating such standards for encoding data into the 2D bar code.[50]

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[49] For the machine-readable portion of the card, the proposed machine-readable technology standard is the PDF-417 2D bar code, although a State may use any other technology in addition to a PDF-417 bar code as long as the driver's license or identification card complies with the PDF-417 2D bar code standard.

[50] With 2D bar codes, a symmetric cryptographic key system would need to be implemented. With a symmetric system, a multi-key or single key implementation could be used. In a multi-key implementation, although a larger the number of keys creates a more secure the system, because a single key compromise does not compromise the entire system, this large number of cryptographic keys would need to be accessible to the law enforcement personnel wherever they would be reading the driver's

Encryption is increasingly being used in the private sector to protect against unlawful access and possible identity theft. In the public sector, encryption will be used to protect the personal information stored on the HSPD 12 federal identification cards as well as on the DHS Transportation Workers Identification Credential (TWIC) IDs. While there are costs to encryption, the DHS Privacy Office believes the benefits of protecting the personal information could outweigh these costs, if it is feasible to use encryption within the necessary operational context.

4. Data Minimization Protections

The NPRM mandates that the bar code include a significant number of data elements: the expiration date, holder's name, issue date, date of birth, gender, address, unique identification number, revision date (indicating the most recent change or modification to the visible format of the license or ID), and the inventory control number of the physical document. If the operational and cost hurdles of implementing encryption prove too high, DHS could request states to leave the proposed federally-required elements unencrypted, while permitting encryption of only the "state-specific" elements. For example, if a state wished to include a digital photograph in the MRZ, it would be free to do so and encrypt it, as the photograph is not currently one of the mandatory REAL ID data elements. Another option would be for DHS to omit the address information from the MRZ, making skimming less attractive to third parties. In this regard, the NPRM seeks comments on whether a demonstrable law enforcement need exists to include the address on the MRZ portion of the REAL ID driver's license, such that address should be included as a mandatory data element on the MRZ. One specific option to preventing not only the efficient use of the skimmed information, but also preventing the establishment of a national ID, would be not to place the unique identification number in the MRZ. The number could still be on the face of the credential for use by law enforcement, but not including it in the MRZ may lessen its attractiveness for collection by unauthorized parties. These options would limit the type and amount of information available in digital form.

Further, if it is determined that the data elements cannot be encrypted, it will be critical to inform driver's license and identification card holders about their need to monitor carefully the handling of the REAL ID credentials when physically providing them to third parties. The more sensitive the personal information elements maintained on the REAL ID credential, the more likely unauthorized third parties will target this information to engage in data aggregation, marketing, fraud, theft, or other illegal activities.

Good privacy policy supports limiting the data in the MRZ to the minimum personal data elements necessary for the intended purpose of providing access to law enforcement personnel. This minimizes but does not eliminate the opportunity for unauthorized third parties to use personal information for unrelated, secondary purposes. Thus an unencrypted MRZ should have fewer data elements and more limited personal information, especially the credential holder's address. In its discussion of section 202(b)(9) of the Act, which calls for using "a common machine-readable technology, with defined minimum data elements," the House Conference Report clearly indicates that Congress wanted to address privacy by minimizing

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license. A single key implementation would avoid the complexities of needing a key infrastructure, but this greatly increases the risk that this single key could be compromised. Although employing a single key greatly simplifies the procedure to make available the cryptographic key to law enforcement personnel, the compromise of this single cryptographic key would compromise all driver's licenses created with it. In this case, encryption could create a false sense of security if a license holder thought his or her information was truly secure and it was not, because an unauthorized third party compromised the key. Not only do these implementation operations present operational and security risks, they also factor into the privacy risks with the selection of an implementation.

exposure of the information: "There has been little research on methods to secure the privacy of the data contained on the machine readable strip. Improvements in the machine readable technology would allow for less data being present on the face of the card in the future, with *other data stored securely and only able to be read by law enforcement officials.*"[51] This statement suggests that Congress wanted to secure the privacy of the data contained on the MRT and make it accessible only to law enforcement officials. The only way currently available to control access to the data on the MRT is to encrypt it. Strong privacy and security concerns exist regarding the selection of a MRT because, if not done right, the MRT could facilitate identity theft and unauthorized collection of the personal information on the REAL ID credential. Therefore, encryption standards can control and limit who has access to the information encoded in the 2D bar code in the MRZ to prevent unauthorized parties from harvesting the information and reselling it.

Lastly, to reiterate an earlier point, the DHS Privacy Office is hopeful that the states will take action similar to that of California, Nebraska, New Hampshire, and Texas to prohibit non-governmental entities and individuals from harvesting the information on driver's licenses or identification cards for any purpose whatsoever. Retailers and financial institutions should be able to continue to examine the Real IDs for purposes of identity and age verification, but should be barred from downloading the information from the machine-readable zone.

D. How do the requirements for a photograph and address on the ID and the DMV employee background check impact privacy?

1. Requirement for a Photograph on the REAL ID

Section 202(b)(5) of the Act requires that the state-issued REAL ID driver's license or identification card include a digital photograph of the individual. In addition, Section 202(d)(3) provides that the state shall require that each individual applying for a driver's license or identification card be subject to mandatory facial image capture.[52] These provisions form the basis for the photograph requirements set forth in Proposed Rule § 37.11(a). This statutory requirement applies whether or not the person ultimately receives a driver's license or identification card, since the Act refers to "each person applying" for a driver's license or identification card. If a driver's license or identification card is not issued, the NPRM proposes that states dispose of the photograph after one (1) year. In addition, the NPRM proposes that DMVs update the photograph in the event the applicant reapplies and to discard prior photos. If the DMV does not issue the driver's license or identification card because of suspected fraud, the DMV would be required to maintain the record for ten (10) years and reflect that a driver's license or identification card was not issued for that purpose.[53]

The NPRM acknowledges that some individuals who apply for a REAL ID driver's license or identification card may oppose having their photograph taken based on their religious beliefs;[54] however, the REAL ID Act requires a facial photograph to enhance security. DHS therefore has no option other than to propose

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[51] Italics for emphasis, not in the original. H.R. Rep. 109-72, at 179.
[52] DHS is proposing that digital photographs comply with current ICAO standard 9303 Part 1 Vol. 2, specifically ISO/IEC 19794-5 - Information technology - Biometric data interchange formats - Part 5: Face image data, which is incorporated into ICAO 9303. This calls for a full face image from the crown to the base of the chin and from ear-to-ear (unless the State chooses to use profiles for licensees under 21), and images with no veils, scarves or headdresses to obscure facial features, or eyewear that obscures the iris or pupil of the eyes.
[53] *See* Proposed Rule § 37.11(a)
[54] *See* NPRM section II.H.3.

that states that issue non-photo driver's licenses or identification cards based on an individual's religious beliefs do so as long as those driver's licenses or identification cards are issued in accordance with the rules for non-compliant driver's licenses and identification cards.

Prior to issuing the NPRM, the DHS Office of Civil Rights and Civil Liberties facilitated a meeting with civil rights and citizen representatives at which DHS staff heard specifically about the concerns of the Amish and Muslim faith with regard to requiring a photograph on a REAL ID Act credential. These groups argued that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb-1, states that "Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability" unless the application of the burden "is in furtherance of a compelling governmental interest" and "is the least restrictive means of furthering that compelling government interest." Since the REAL ID Act mandates the photograph, DHS has no flexibility to address the legitimate concerns of such groups, other than to permit states to provide individuals with non-photo driver's license and identification card as long as the states issue such credentials in accordance with the rules for non-compliant driver's licenses and identification cards.

2. Requirement for Address of Principal Residence

Section 202(b)(6) of the Act requires that the driver's license or identification card include the individual's address of principal residence. The NPRM proposes to exempt certain individuals from this requirement consistent with (1) existing state laws and current exceptions processes by states to protect victims of domestic violence, judges, protected witnesses, and law enforcement personnel, and (2) Section 827 of the Violence Against Women and Department of Justice Reauthorization Act of 2005,[55] which amended the REAL ID Act 2005 (49 U.S.C. 30301 note) to protect against disclosure of addresses of individuals who have been subjected to battery, extreme cruelty, domestic violence, dating violence, sexual assault, stalking, or trafficking. Consequently, the NPRM proposes to exempt the following from the address requirement: (1) an individual enrolled in a state address confidentiality program; (2) an individual who's address is entitled to be suppressed under state or federal law or suppressed by a court order; or (3) an individual protected from disclosure of information pursuant to Section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Most states retain the "actual" address in their database, but often protect it so that only authorized personnel have access to the "actual" address. In addition, most states do not have the "actual" address in the MRZ on the credential. Rather, the MRZ contains only what is on the face of the driver's license or identification card. Therefore, the NPRM proposes to exempt individuals who are entitled to enroll in state address confidentiality programs, whose addresses are entitled to be suppressed under state or federal law or by a court order, or who are protected from disclosure of information pursuant to Section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 from the requirement to have their address displayed on REAL ID driver's licenses and identification cards. The NPRM also notes that other categories of individuals, such as federal judges, may also require that their addresses remain confidential to protect their safety and invites comment on how these categories of individuals can be protected, while remaining consistent with requirements of the Act.

[55] Title VIII, Subtitle C, Sec. 827 (Pub. L. 109-162, 119 Stat. 2960, 3066, Jan. 5, 2006)(Protection of domestic violence and crime victims from certain disclosures of information).

In addition, the NPRM acknowledges that some people do not have a fixed address and that states have exceptions processes in place to address this situation. For example, in some states homeless people may use addresses of accredited organizations. The NPRM provides a mechanism by which states may continue to address these situations through a written and documented exceptions process. Exceptions processing is referenced in Proposed Rule § 37.11(h) and discussed further in section II.F of the NPRM.

The approach provided in the NPRM addresses the legitimate privacy concerns associated with disclosing addresses of these individuals. The Privacy Office believes the disclosure of addresses in the MRZ of all other REAL ID driver's license and identification card holders is better addressed by encryption as discussed above in Section II.C of the PIA.

3. Requirement for DMV Employee Background Check

Section 202(d)(8) of the REAL ID Act requires that "all persons authorized to manufacture or produce driver's licenses and identification cards" must be required to undergo "appropriate security clearance requirements." Proposed Rule § 37.45 addresses the requirements of Section 202(d)(8) of the Act by identifying which categories of DMV employees must undergo "background checks"[56] and the nature of the background checks. The NPRM discussion of the mandated background check states that Congress made it clear that Section 202(d)(8) was intended to address cases of insider corruption,[57] and therefore, the NPRM proposes that background checks be required for "DMV employees or DMV contractors who have the ability to affect the recording of any information required to be verified, or who are involved in the manufacture or production of driver's licenses and identification cards, or who have the ability to affect the identity information that appears on the driver's license or identification card."[58]

The NPRM recognizes that each state's DMV has a unique organization and structure, and leaves it to each state to identify the "covered positions" that would fall under this definition. Also, the NPRM proposes that the state DMVs provide employees and prospective employees selected for placement in a covered position with notice that a background check is required for employment in a covered position and what that background check will include. Such notice is consistent with federal Privacy Act notice requirements.[59]

With respect to the type of background check required, the NPRM proposes that states collect fingerprints for individuals who seek employment in a covered position, in order to conduct a "criminal history record check" (CHRC) on those individuals through the Federal Bureau of Investigation (FBI) and state repositories. It also specifies a list of disqualifying offenses, based on current federal requirements, that mirrors requirements for DHS Transportation Security Administration's Hazardous Materials Endorsement program (HAZMAT program) and Transportation Workers Identification Credential (TWIC) program.[60]

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[56] The NPRM defines a background check as an investigation into someone's past history to permit them to either gain a security clearance or pass a suitability screening. It notes that a security clearance is the end result of a background investigation whereby the government makes a determination that someone may be trusted with specified levels of information, such as "classified" information. While section 202(d)(8) of the Act uses the term "security clearance," DHS concludes that the intent was to conduct background checks, as DMV employees do not need clearance to handle "classified" information.

[57] H.R. Rep. at 183.

[58] *See* definition of "covered employees" in the Proposed Rule Definition § 37.03 and the discussion of this provision in NPRM Section II.K.1.

[59] *See* 5 U.S.C. § 552a(e)(3).

[60] *See* 49 CFR 1572.103 and the final rule on TWIC (72 Fed. Reg. 3492 (Jan. 25, 2007).
Section 37.45 of the NPRM defines the offenses as follows:

The NPRM states that this list of crimes is sufficient as a federal minimum; but that states may add additional disqualifying offenses to this list for their covered employees and invites comment on whether the proposed list of disqualifying offenses is appropriate, too large, or insufficient as it concerns REAL ID.

In addition to the criminal history record check, the NPRM proposes that states perform a "financial history check" on individuals seeking employment in covered positions in a manner consistent with the Fair Credit Reporting Act. Although a number of states already collect fingerprints of their employees and run criminal history record checks, it is not clear how many currently perform financial history checks. Although many employers, including many DMVs, already conduct financial history checks as one indicator that an individual may warrant additional scrutiny or supervision before assuming responsibilities that raise security risks, concerns exist about how such a check may be applied by the states under this regulation. The NPRM states that while questionable financial history would not be considered a federal disqualifier, the information should be used by the states in making their own determinations on how or whether particular individuals should be employed at the DMV.

The NPRM acknowledges that the proposed requirement for a financial history check is not a feature of the TWIC or HAZMAT programs, but states that DHS believes that it is warranted in this case, due to the sensitivity of the personal information that will routinely be handled by employees at state DMVs and the fact that a driver's license or identification card serves as a key source document in securing other forms of state and federal identification. The NPRM persuasively states that "[i]f the DMV personnel issuing and authenticating the driver's license or identification card are compromised and issue genuine REAL ID driver's licenses and identification cards to individuals who are seeking to mask their true identity, those individuals can obtain additional identification using that false identity and thwart the Government's and law enforcement's ability to identify accurately individuals lawfully stopped and screened."

Employees who are susceptible to corruption should not be hired for covered positions, but it will be critical that DMVs assess the financial history information fairly and take extenuating circumstances into consideration when making this determination. It is not clear what financial difficulties a state would use to disqualify an individual from employment.

Although the NPRM does not propose to preclude a DMV from hiring any individual based on the results of the financial history check and does not propose to preclude the DMV from placing the individual in a covered position based on that check, because financial history records can include inaccurate or out-dated information, it is not clear that DMVs will be able to evaluate the information appropriately. From a privacy and security perspective, the criminal background check provides the best understood indication of whether or not an employee may pose a security risk. Importantly, the NPRM states that individuals denied

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(i) Permanent disqualifying criminal offenses. An applicant has a permanent disqualifying offense if convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction, of any of the felonies set forth in 49 CFR 1572.103(a).

(ii) Interim disqualifying criminal offenses. The criminal offenses referenced in 49 CFR 1572.103(b) are disqualifying, if the applicant was either convicted of those offenses in a civilian or military jurisdiction, or admits having committed acts which constitute the essential elements of any of those criminal offenses within the seven years preceding the date of application; or the applicant was released from incarceration for the crime within the five years preceding the date of application.

(iii) Under want or warrant. An applicant who is wanted or under indictment in any civilian or military jurisdiction for a felony referenced in this section is disqualified until the want or warrant is released.

(iv) Determination of arrest status. When a fingerprint-based check discloses an arrest for a disqualifying crime referenced in this section without indicating a disposition, the State must determine the disposition of the arrest.

(v) Waiver. The State may establish procedures to allow for a waiver of the requirements of (b)(1)(ii) of this section under circumstances determined by the State.

employment based on the background check must be given notice and an opportunity to appeal to the state.

The NPRM also proposes that states conduct a lawful status check on covered employees through the Systematic Alien Verification for Entitlements (SAVE) program run by DHS U.S. Citizenship and Immigration Services (USCIS) to verify that the individual has lawful status in the United States.

States may grant waivers allowing individuals to maintain their positions under particular circumstances as authorized by the states, for example, where an individual has made full disclosure of his or her criminal history to the state DMV. Appeals based on the lawful status check will be appealed to DHS.

III. Conclusion

The REAL ID Act implicates a number of significant privacy concerns for the American public. This PIA seeks to identify the concerns and describe how the Department's NPRM has addressed them. In the key areas, the NPRM proposes important privacy protections in furtherance of the authority provided to DHS under the REAL ID Act and further clarification in the final rule will ensure their implementation and enforceability. These privacy protections should include: (1) providing for state control and operation of the state query of federal reference databases and the state-to-state data exchange; (2) requiring states to submit a Comprehensive Security Plan, including a privacy policy and plan to protect the personal information associated with implementation of the Act; and (3) employing encryption to protect the personal information stored on REAL ID driver's licenses and identification cards, while ensuring appropriate law enforcement access.

These protections serve as a floor and do not prevent the states from using their own statutory or executive authority to provide additional privacy protections for the personal information stored on the REAL ID credentials and in the state databases. The Privacy Office believes that protecting the privacy of the personal information associated with implementation of the REAL ID Act is critical to maintaining the public trust that government can provide basic services to its citizens and residents while preserving their privacy. The public is encouraged to comment on the NPRM and on the privacy issues associated with implementation of the Act in order to ensure that the final rule reflects robust public input on these important issues.

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Approval Signature Page

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Hugo Teufel III
Chief Privacy Officer
Department of Homeland Security

Act of 1871

1871, February 21: Congress Passes an Act to Provide a Government for the District of Columbia, also known as the Act of 1871.

With no constitutional authority to do so, Congress creates a separate form of government for the District of Columbia, a ten mile square parcel of land (see, Acts of the Forty-first Congress," Section 34, Session III, chapters 61 and 62).

The act -- passed when the country was weakened and financially depleted in the aftermath of the Civil War -- was a strategic move by foreign interests (international bankers) who were intent upon gaining a stranglehold on the coffers and neck of America. Congress cut a deal with the international bankers (specifically Rothschilds of London) to incur a DEBT to said bankers. Because the bankers were not about to lend money to a floundering nation without serious stipulations, they devised a way to get their foot in the door of the United States.

The Act of 1871 formed a corporation called THE UNITED STATES. The corporation, OWNED by foreign interests, moved in and shoved the original Constitution into a dustbin. With the Act of 1871, the organic Constitution was defaced -- in effect vandalized and sabotage -- when the title was capitalized and the word "for" was changed to "of" in the title.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA is the constitution of the incorporated UNITED STATES OF AMERICA. It operates in an economic capacity and has been used to fool the People into thinking it governs the Republic. It does is not! Capitalization is NOT insignificant when one is referring to a legal document. This seemingly "minor" alteration has had a major impact on every subsequent generation of Americans. What Congress did by passing the Act of 1871 was create an entirely new document, a constitution for the government of the District of Columbia, an INCORPORATED government. This

newly altered Constitution was not intended to benefit the Republic. It benefits only the corporation of the UNITED STATES OF AMERICA and operates entirely outside the original (organic) Constitution.

Instead of having absolute and unalienable rights guaranteed under the organic Constitution, we the people now have "relative" rights or privileges. One example is the Sovereign's right to travel, which has now been transformed (under corporate government policy) into a "privilege" that requires citizens to be licensed. (Passports) By passing the Act of 1871, Congress committed TREASON against the People who were Sovereign under the grants and decrees of the Declaration of Independence and the organic Constitution. [Information courtesy of Lisa Guliani, www.babelmagazine.com. The Act of 1871 became the FOUNDATION of all the treason since committed by government officials.]

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Dove: The following is an expansion and further explanation of the above (an adaptation of Lisa's work, done with her permission), which you may want to read for your own edification. Whereas my Chapter 9 is a time-map of the major Headlines and Landmines of the 200-years-plus history of America, each subsequent chapter goes into particular details. This section is from Chapter 18, "The Tale of Two Governments, which overall addresses the difference between a democracy and a republic as well as the fact of a federal government and a shadow government practicing under the guise of The Corporation. I'm sure Lisa won't mind your using what you need in order to make whatever point you wish to make in the moment. . . . C.

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The United States Isn't a Country; It's a Corporation! In preparation for stealing America, the puppets of Britain's banking cabal had already created a second government, a Shadow Government designed to manage what the common herd believed was a democracy, but what really was an incorporated UNITED STATES. Together this chimera, this two-headed monster, disallowed the common herd all rights of sui juris. [you, in your sovereignty]

Congress, with no authority to do so, created a separate form of government for the District of Columbia, a ten-mile square parcel of land. WHY and HOW did they do so? First, Lisa Guliani of Babel Magazine, reminds us that the Civil War was, in fact, "little more than a calculated front with fancy footwork by backroom players." Then she adds: "It was also a strategic maneuver by British and European interests (international bankers) intent on gaining a stranglehold on the coffers of America. And, because Congress knew our country was in dire financial straits, certain members of Congress cut a deal with the international bankers (in those days, the Rothschilds of London were dipping their fingers into everyone's pie). . . . . There you have the WHY, why members of Congress permitted the international bankers to gain further control of America. . . . . .

"Then, by passing the Act of 1871, Congress formed a corporation known as

THE UNITED STATES. This corporation, owned by foreign interests, shoved the organic version of the Constitution aside by changing the word 'for' to 'of' in the title. Let me explain: the original Constitution drafted by the Founding Fathers read: 'The Constitution for the united states of America.' [note that neither the words 'united' nor 'states' began with capital letters] But the CONSTITUTION OF THE UNITED STATES OF AMERICA' is a corporate constitution, which is absolutely NOT the same document you think it is. First of all, it ended all our rights of sovereignty [sui juris]. So you now have the HOW, how the international bankers got their hands on THE UNITED STATES OF AMERICA."

To fully understand how our rights of sovereignty were ended, you must know the full meaning of sovereign: "Chief or highest, supreme power, superior in position to all others; independent of and unlimited by others; possessing or entitled to; original and independent authority or jurisdiction." (Webster).

In short, our government, which was created by and for us as sovereigns -- free citizens deemed to have the highest authority in the land – was stolen from us, along with our rights. Keep in mind that, according to the original Constitution, only We the People are sovereign. Government is not sovereign. The Declaration of Independence say, "…government is subject to the consent of the governed." That's us -- the sovereigns. When did you last feet like a sovereign? As Lisa Guliani explained:

"It doesn't take a rocket scientist or a constitutional historian to figure out that the U.S. Government has NOT been subject to the consent of the governed since long before you or I were born. Rather, the governed are subject to the whim and greed of the corporation, which has stretched its tentacles beyond the ten-mile-square parcel of land known as the District of Columbia. In fact, it has invaded every state of the Republic. Mind you, the corporation has NO jurisdiction beyond the District of Columbia. You just think it does. "You see, you are 'presumed' to know the law, which is very weird since We the People are taught NOTHING about the law in school. We memorize obscure facts and phrases here and there, like the Preamble, which says, 'We the People…establish this Constitution for the United States of America.' But our teachers only gloss over the Bill of Rights. Our schools (controlled by the corporate government) don't delve into the Constitution at depth. After all, the corporation was established to indoctrinate and 'dumb-down' the masses, not to teach anything of value or importance. Certainly, no one mentioned that America was sold-out to foreign interests, that we were beneficiaries of the debt incurred by Congress, or that we were in debt to the international bankers. Yet, for generations, Americans have had the bulk of their earnings confiscated to pay a massive debt that they did not incur. There's an endless stream of things the People aren't told. And, now that you are being told, how do you feel about being made the recipient of a debt without your knowledge or consent? "After passage of the Act of 1871 Congress set a series of subtle and overt deceptions into motion, deceptions in the form of decisions that were meant to sell us down the river. Over time, the Republic took it on the chin until it was knocked down and counted out by a technical KO [knock out]. With the surrender of the people's gold in 1933, the 'common herd' was handed over to illegitimate law.

(I'll bet you weren't taught THAT in school.)

"Our corporate form of governance is based on Roman Civil Law and Admiralty, or Maritime, Law, which is also known as the 'Divine Right of Kings' and the 'Law of the Seas' -- another fact of American history not taught in our schools. Actually, Roman Civil Law was fully established in the colonies before our nation began, and then became managed by private international law. In other words, the government -- the government created for the District of Columbia via the Act of 1871 – operates solely under Private International Law, not Common Law, which was the foundation of our Constitutional Republic. "This fact has impacted all Americans in concrete ways. For instance, although Private International Law is technically only applicable within the District of Columbia, and NOT in the other states of the Union, the arms of the Corporation of the UNITED STATES are called 'departments' -- i.e., the Justice Department, the Treasury Department. And those departments affect everyone, no matter where (in what state) they live. Guess what? Each department belongs to the corporation -- to the UNITED STATES.

"Refer to any UNITED STATES CODE (USC). Note the capitalization; this is evidence of a corporation, not a Republic. For example, In Title 28 3002 (15) (A) (B) (C), it is unequivocally stated that the UNITED STATES is a corporation. Translation: the corporation is NOT a separate and distinct entity; it is not disconnected from the government; it IS the government -- your government. This is extremely important! I refer to it as the 'corporate EMPIRE of the UNITED STATES,' which operates under Roman Civil Law outside the original Constitution. How do you like being ruled by a corporation? You say you'll ask your Congressperson about this? HA!! "Congress is fully aware of this deception. So it's time that you, too, become aware of the deception. What this great deception means is that the members of Congress do NOT work for us, for you and me. They work for the Corporation, for the UNITED STATES. No wonder we can't get them to do anything on our behalf, or meet or demands, or answer our questions.

"Technically, legally, or any other way you want to look at the matter, the corporate government of the UNITED STATES has no jurisdiction or authority in ANY State of the Union (the Republic) beyond the District of Columbia. Let that tidbit sink in, then ask yourself, could this deception have occurred without full knowledge and complicity of the Congress? Do you think it happened by accident? If you do, you're deceiving yourself.

"There are no accidents, no coincidences. Face the facts and confront the truth. Remember, you are presumed to know the law. THEY know you don't know the law or, for that matter, your history. Why? Because no concerted effort was ever made to teach or otherwise inform you. As a Sovereign, you are entitled to full disclosure of all facts. As a slave, you are entitled to nothing other than what the corporation decides to 'give' you.

"Remember also that 'Ignorance of the law is no excuse.' It's your responsibility and obligation to learn the law and know how it applies to you. No wonder the

corporation counted on the fact that most people are too indifferent, unconcerned, distracted, or lazy to learn what they need to know to survive within the system. We have been conditioned to let the government do our thinking for us. Now's the time to turn that around if we intend to help save our Republic and ourselves -- before it's too late.

"As an instrument of the international bankers, the UNITED STATES owns you from birth to death. It also holds ownership of all your assets, of your property, even of your children. Think long and hard about all the bills taxes, fines, and licenses you have paid for or purchased. Yes, they had you by the pockets. If you don't believe it, read the 14th Amendment. See how 'free' you really are. Ignorance of the facts led to your silence. Silence is construed as consent; consent to be beneficiaries of a debt you did not incur. As a Sovereign People we have been deceived for hundreds of years; we think we are free, but in truth we are servants of the corporation.

"Congress committed treason against the People in 1871. Honest men could have corrected the fraud and treason. But apparently there weren't enough honest men to counteract the lust for money and power. We lost more freedom than we will ever know, thanks to corporate infiltration of our so-called 'government.' "Do you think that any soldier who died in any of our many wars would have fought if he or she had known the truth? Do you think one person would have laid down his/her life for a corporation? How long will we remain silent? How long will we perpetuate the MYTH that we are free? When will we stand together as One Sovereign People? When will we take back what has been as stolen from the us?

"If the People of America had known to what extent their trust was betrayed, how long would it have taken for a real revolution to occur? What we now need is a Revolution in THOUGHT. We need to change our thinking, then we can change our world. Our children deserve their rightful legacy -- the liberty our ancestors fought to preserve, the legacy of a Sovereign and Fully Free People." [Posted 8/27/02, www.babelmagazine.com/]

I

116TH CONGRESS
2D SESSION

H. R. 6666

To authorize the Secretary of Health and Human Services to award grants to eligible entities to conduct diagnostic testing for COVID–19, and related activities such as contact tracing, through mobile health units and, as necessary, at individuals' residences, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2020

Mr. RUSH (for himself, Ms. BARRAGÁN, Ms. BASS, Mr. BEYER, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. COHEN, Mr. CORREA, Mr. CUELLAR, Ms. DEGETTE, Mrs. DEMINGS, Mr. GONZALEZ of Texas, Mr. GRIJALVA, Mr. HASTINGS, Mrs. HAYES, Mr. HIGGINS of New York, Ms. KAPTUR, Mr. KHANNA, Ms. KUSTER of New Hampshire, Mr. LARSON of Connecticut, Mr. LYNCH, Ms. MCCOLLUM, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RASKIN, Mr. ROUDA, Mr. RYAN, Mr. SARBANES, Ms. SEWELL of Alabama, Mr. SIRES, Mr. SOTO, Ms. TLAIB, Mr. THOMPSON of Mississippi, Mr. VAN DREW, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To authorize the Secretary of Health and Human Services to award grants to eligible entities to conduct diagnostic testing for COVID–19, and related activities such as contact tracing, through mobile health units and, as necessary, at individuals' residences, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''COVID–19 Testing, Reaching, And Contacting Everyone (TRACE) Act''.

SEC. 2. COVID–19 TESTING AND CONTACT TRACING USING MOBILE HEALTH UNITS.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, may award grants to eligible entities to conduct diagnostic testing for COVID–19, to trace and monitor the contacts of infected individuals, and to support the quarantine of such contacts, through—

(1) mobile health units; and

(2) as necessary, testing individuals and providing individuals with services related to testing and quarantine at their residences.

(b) PERMISSIBLE USES OF FUNDS.—A grant recipient under this section may use the grant funds, in support of the activities described in subsection (a)—

(1) to hire, train, compensate, and pay the expenses of individuals; and

(2) to purchase personal protective equipment and other supplies.

(c) PRIORITY.—In selecting grant recipients under this section, the Secretary shall give priority to—

(1) applicants proposing to conduct activities funded under this section in hot spots and medically underserved communities; and

(2) applicants that agree, in hiring individuals to carry out activities funded under this section, to hire residents of the area or community where the activities will primarily occur, with higher priority among applicants described in this paragraph given based on the percentage of individuals to be hired from such area or community.

(d) DISTRIBUTION.—In selecting grant recipients under this section, the Secretary shall ensure that grants are distributed across urban and rural areas.

(e) FEDERAL PRIVACY REQUIREMENTS.—Nothing in this section shall be construed to supersede any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2033) and section 543 of the Public Health Service Act (42 U.S.C. 290dd–2).

(f) DEFINITIONS.—In this section:

(1) The term ''eligible entity'' means—

(A) a Federally qualified health center (as defined in section 1861(aa) of the Social Security Act (42 U.S.C. 1395x(aa)));

(B) a school-based health clinic;

(C) a disproportionate share hospital (as defined under the applicable State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) pursuant to section 1923(a)(1)(A) of such Act (42 U.S.C. 1396r–4));

(D) an academic medical center;

(E) a nonprofit organization (including any such faith-based organization);

(F) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(G) a high school (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); or

(H) any other type of entity that is determined by the Secretary to be an eligible entity for purposes of this section.

(2) The term ''emergency period'' has the meaning given to that term in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)).

(3) The term ''hot spot'' means a geographic area where the rate of infection with the virus that causes COVID–19 exceeds the national average.

(4) The term ''medically underserved community'' has the meaning given to that term in section 799B of the Public Health Service Act (42 U.S.C. 295p).

(5) The term ''Secretary'' means the Secretary of Health and Human Services.

(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

(1) $100,000,000,000 for fiscal year 2020; and

(2) such sums as may be necessary for each of fiscal year 2021 and any subsequent fiscal year during which the emergency period continues.

○

Emergency Banking Relief Act of 1933

U.S. Statutes at Large (73rd Congress, 1933 p. 1-7)

AN ACT

To provide relief in the existing national emergency in banking, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that a serious emergency exists and that it is imperatively necessary speedily to put into effect remedies of uniform national application.

TITLE I

Section 1. The actions, regulations, rules, licenses, orders and proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March 4, 1933, pursuant to the authority conferred by subdivision (b) of section 5 of the Act of October 6, 1917, as amended, are hereby approved and confirmed.

Section 2. Subdivision (b) of section 5 of the Act of October 6, 1917 (40 Stat. L. 411), as amended, is hereby amended to read as follows:

"(b) During time of war or during any other period of national emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange, transfers of credit between or payments by banking institutions as defined by the President, and export, hoarding, melting, or earmarking of gold or silver coin or bullion or currency, by any person within the United States or any place subject to the jurisdiction thereof; and the President may require any person engaged in any transaction referred to in this subdivision to furnish under oath, complete information relative thereto, including the production of any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed. Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction, be fined not more than $10,000, or, if a natural person, may be imprisoned for not more than ten years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both. As used in this subdivision the term 'person' means an individual, partnership, association, or corporation.

Sec. 3. Section 11 of the Federal Reserve Act is amended by adding at the end thereof the following new subsection:

"(n) Whenever in the judgment of the Secretary of the Treasury such action is necessary to protect the currency system of the United States, the Secretary of the

Treasury, in his discretion, may require any or all individuals, partnerships, associations and corporations to pay and deliver to the Treasurer of the United States any or all gold coin, gold bullion, and gold certificates owned by such individuals, partnerships, associations and corporations. Upon receipt of such gold coin, gold bullion or gold certificates, the Secretary of the Treasury shall pay therefor an equivalent amount of any other form of coin or currency coined or issued under the laws of the United States. The Secretary of the Treasury shall pay all costs of the transportation of such gold bullion, gold certificates, coin, or currency, including the cost of insurance, protection, and such other incidental costs as may be reasonably necessary. Any individual, partnership, association, or corporation failing to comply with any requirement of the Secretary of the Treasury made under this subsection shall be subject to a penalty equal to twice the value of the gold or gold certificates in respect of which such failure occurred, and such penalty may be collected by the Secretary of the Treasury by suit or otherwise."

Sec. 4. In order to provide for the safer and more effective operation of the National Banking System and the Federal Reserve System, to preserve for the people the full benefits of the currency provided for by the Congress through the National Banking System and the Federal Reserve System, and to relieve interstate commerce of the burdens and obstructions resulting from the receipt on an unsound or unsafe basis of deposits subject to withdrawal by check, during such emergency period as the President of the United States by proclamation may prescribe, no member bank of the Federal Reserve System shall transact any banking business except to such extent and subject to such regulations, limitations and restrictions as may be prescribed by the Secretary of the Treasury, with the approval of the President. Any individual, partnership, corporation, or association, or any director, officer or employee thereof, violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $10,000 or, if a natural person, may, in addition to such fine, be imprisoned for a term not exceeding ten years. Each day that any such violation continues shall be deemed a separate offense.

TITLE II

Sec. 201. This title may be cited as the "Bank Conservation Act."

Sec. 202. As used in this title, the term "bank" means (1) any national banking association, and (2) any bank or trust company located in the District of Columbia and operating under the supervision of the Comptroller of the Currency; and the term "State" means any State, Territory, or possession of the United States, and the Canal Zone.

Sec. 203. Whenever he shall deem it necessary in order to conserve the assets of any bank for the benefit of the depositors and other creditors thereof, the Comptroller of the Currency may appoint a conservator for such bank and require of him such bond and security as the Comptroller of the Currency deems proper.

The conservator, under the direction of the Comptroller, shall take possession of the books, records, and assets of every description of such bank, and take such action as may be necessary to conserve the assets of such bank pending further disposition of its business as provided by law. Such conservator shall have all the rights, powers, and privileges now possessed by or hereafter given receivers of insolvent national banks and shall be subject to the obligations and penalties, not inconsistent with the provisions of this title, to which receivers are now or may hereafter become subject. During the time that such conservator remains in possession of such bank, the rights of all parties with respect thereto shall, subject to the other provisions of this title, be the same as if a receiver had been appointed therefor. All expenses of any such conservatorship shall be paid out of the assets of such bank and shall be a lien thereon which shall be prior to any other lien provided by this Act or otherwise. The conservator shall receive as salary an amount no greater than that paid to employees of the Federal Government for similar services.

Sec. 204. The Comptroller of the Currency shall cause to be made such examinations of the affairs of such bank as shall be necessary to inform him as to the financial condition of such bank, and the examiner shall make a report thereon to the Comptroller of the Currency at the earliest practicable date.

Sec. 205. If the Comptroller of the Currency becomes satisfied that it may safely be done and that it would be in the public interest, he may, in his discretion, terminate the conservatorship and permit such bank to resume the transaction of its business subject to such terms, conditions, restrictions and limitations as he may prescribe.

Sec. 206. While such bank is in the hands of the conservator appointed by the Comptroller of the Currency, the Comptroller may require the conservator to set aside and make available for withdrawal by depositors and payment to other creditors, on a ratable basis, such amounts as in the opinion of the Comptroller may safely be used for this purpose; and the Comptroller may, in his discretion, permit the conservator to receive deposits, but deposits received while the bank is in the hands of the conservator shall not be subject to any limitation as to payment or withdrawal, and such deposits shall be segregated and shall not be used to liquidate any indebtedness of such bank existing at the time that a conservator was appointed for it, or any subsequent indebtedness incurred for the purpose of liquidating any indebtedness of such bank existing at the time such conservator was appointed. Such deposits received while the bank is in the hands of the conservator shall be kept on hand in cash, invested in the direct obligations of the United States, or deposited with a Federal reserve bank. The Federal reserve banks are hereby authorized to open and maintain separate deposit accounts for such purpose, or for the purpose of receiving deposits from State officials in charge of State banks under similar circumstances.

Sec. 207. In any reorganization of any national banking association under a plan of a kind which, under existing law, requires the consent, as the case may be, (a) of depositors and other creditors or (b) of stockholders or (c) of both depositors and other creditors and stockholders, such reorganization shall become effective only (1) when the Comptroller of the Currency shall be satisfied that the plan of reorganization is fair and equitable as to all depositors, other creditors and stockholders and is in the public interest and shall have approved the plan subject to such conditions, restrictions and limitations as he may prescribe and (2) when, after reasonable notice of such reorganization, as the case may require, (A) depositors and other creditors of such bank representing at least 75 per cent in amount of its total deposits and other liabilities as shown by the books of the national banking association or (B) stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of the national banking association or (C) both depositors and other creditors representing at least 75 per cent in amount of the total deposits and other liabilities and stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of the national banking association, shall have consented in writing to the plan of reorganization: Provided, however, That claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of the national banking association in determining the 75 per cent thereof as above provided. When such reorganization becomes effective, all books, records, and assets of the national banking association shall be disposed of in accordance with the provisions of the plan and the affairs of the national banking association shall be conducted by its board of directors in the manner provided by the plan and under the conditions, restrictions and limitations which may have been prescribed by the Comptroller of the Currency. In any reorganization which shall have been approved and shall have become effective as provided herein, all depositors and other creditors and stockholders of such national banking association, whether or not they shall have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by its provisions, and claims of all depositors and other creditors shall be treated as if they had consented to such plan of reorganization.

Sec. 208. After fifteen days after the affairs of a bank shall have been turned back to its board of directors by the conservator, either with or without a reorganization as provided in section 207 hereof, the provisions of section 206 of this title with respect to the segregation of deposits received while it is in the hands of the conservator and with respect to the use of such deposits to liquidate the indebtedness of such bank shall no longer be effective: Provided, That before the conservator shall turn back the affairs of the bank to its board of directors he shall cause to be published in a newspaper published in the city, town or county in which such bank is located, and if no newspaper is published in such city, town or county, in a newspaper to be selected by the Comptroller of the Currency published in the State in which the bank is located, a notice in form approved by

the Comptroller, stating the date on which the affairs of the bank will be returned to its board of directors and that the said provisions of section 206 will not be effective after fifteen days after such date; and on the date of the publication of such notice the conservator shall immediately send to every person who is a depositor in such bank under section 206 a copy of such notice by registered mail addressed to the last known address of such person as shown by the records of the bank, and the conservator shall send similar notice in like manner to every person making deposit in such bank under section 206 after the date of such newspaper publication and before the time when the affairs of the bank are returned to its directors.

Sec. 209. Conservators appointed pursuant to the provisions of this title shall be subject to the provisions of and to the penalties prescribed by section 5209 of the Revised Statutes (U.S.C., Title 12, sec. 592); and section 112, 113, 114, 116 and 117 of the Criminal Code of the United States (U.S.C., Title 18, secs. 202, 203, 204, 205, 206 and 207), in so far as applicable, are extended to apply to contracts, agreements, proceedings, dealings, claims and controversies by or with any such conservator or the Comptroller of the Currency under the provisions of this title.

Sec. 210. Nothing in this title shall be construed to impair in any manner any powers of the President, the Secretary of the Treasury, the Comptroller of the Currency, or the Federal Reserve Board.

Sec. 211. The Comptroller of the Currency is hereby authorized and empowered, with the approval of the Secretary of the Treasury, to prescribe such rules and regulations as he may deem necessary in order to carry out the provisions of this title. Whoever violates any rule or regulation made pursuant to this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $5,000, or imprisoned not more than one year, or both.

TITLE III

Sec. 301. Notwithstanding any other provision of law, any national banking association may, with the approval of the Comptroller of the Currency and by vote of shareholders owning a majority of the stock of such association, upon not less than five days' notice, given by registered mail pursuant to action taken by its board of directors, issue preferred stock in such amount and with such par value as shall be approved by said Comptroller, and make such amendments to its articles of association as may be necessary for this purpose; but, in the case of any newly organized national banking association which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in.

Sec. 302. (a) The holders of such preferred stock shall be entitled to cumulative dividends at a rate not exceeding 6 per centum per annum, but shall not be held individually responsible as such holders for any debts, contracts, or engagements

of such association and shall not be liable for assessments to restore impairments in the capital of such association as now provided by law with reference to holders of common stock. Notwithstanding any other provision of law, the holders of such preferred stock shall have such voting rights, and such stock shall be subject to retirement in such manner and on such terms and conditions, as may be provided in the articles of association with the approval of the Comptroller of the Currency.

(b) No dividends shall be declared or paid on common stock until the cumulative dividends on the preferred stock shall have been paid in full; and, if the association is placed in voluntary liquidation or a conservator or a receiver is appointed therefor, no payments shall be made to the holders of the common stock until the holders of the preferred stock shall have been paid in full the par value of such stock plus all accumulated dividends.

Sec. 303. The term "common stock" as used in this title means stock of national banking associations other than preferred stock issued under the provisions of this title. The term "capital" as used in provisions of law relating to the capital of national banking associations shall mean the amount of unimpaired common stock plus the amount of preferred stock outstanding and unimpaired; and the term "capital stock", as used in section 12 of the Act of March 14, 1900, shall mean only the amount of common stock outstanding.

Sec. 304. If in the opinion of the Secretary of the Treasury any national banking association or any State bank or trust company is in need of funds for capital purposes either in connection with the organization or reorganization of such association, State bank or trust company or otherwise, he may, with the approval of the President, request the Reconstruction Finance Corporation to subscribe for preferred stock in such association, State bank or trust company, or to make loans secured by such stock as collateral, and the Reconstruction Finance Corporation may comply with such request. The Reconstruction Finance Corporation may, with the approval of the Secretary of the Treasury, and under such rules and regulations as he may prescribe, sell in the open market or otherwise the whole or any part of the preferred stock of any national banking association, State bank or trust company acquired by the Corporation pursuant to this section. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section.

TITLE IV

Sec. 401. The sixth, paragraph of Section 18 of the Federal Reserve Act is amended to read as follows:

"Upon the deposit with the Treasurer of the United States, (a) of any direct obligations of the United States or (b) of any notes, drafts, bills of exchange, or bankers' acceptances acquired under the provisions of this Act, any Federal reserve

bank making such deposit in the manner prescribed by the Secretary of the Treasury shall be entitled to receive from the Comptroller of the Currency circulating notes in blank, duly registered and countersigned. When such circulating notes are issued against the security of obligations of the United States, the amount of such circulating notes shall be equal to the face value of the direct obligations of the United States so deposited as security; and, when issued against the security of notes, drafts, bills of exchange and bankers' acceptances acquired under the provisions of this Act, the amount thereof shall be equal to not more than 90 per cent of the estimated value of such notes, drafts, bills of exchange and bankers' acceptances so deposited as security. Such notes shall be the obligations of the Federal reserve bank procuring the same, shall be in form prescribed by the Secretary of the Treasury, shall be receivable at par in all parts of the United States for the same purposes as are national bank notes, and shall be redeemable in lawful money of the United States on presentation at the United States Treasury or at the bank of issue. The Secretary of the Treasury is authorized and empowered of prescribe regulations governing the issuance, redemption, replacement, retirement and destruction of such circulating notes and the release and substitution of security therefor. Such circulating notes shall be subject to the same tax as is provided by law for the circulating notes of national banks secured by 2 per cent bonds of the United States. No such circulating notes shall be issued under this paragraph after the President has declared by proclamation that the emergency recognized by the President by proclamation of March 6, 1933, has terminated, unless such circulating notes are secured by deposits of bonds of the United States bearing the circulation privilege. When required to do so by the Secretary of the Treasury, each Federal reserve agent shall act as agent of the Treasurer of the United States or of the Comptroller of the Currency, or both, for the performance of any of the functions which the Treasurer or the Comptroller may be called upon to perform in carrying out the provisions of this paragraph. Appropriations available for distinctive paper and printing United States currency or national bank currency are hereby made available for the production of the circulating notes of Federal reserve banks herein provided; but the United States shall be reimbursed by the Federal reserve bank to which such notes are issued for all expenses necessarily incurred in connection with the procuring of such notes and all other expenses incidental to their issue, redemption, replacement, retirement and destruction."

Sec. 402. Section 10(b) of the Federal Reserve Act, as amended, is further amended to read as follows:

Sec. 10(b). In exceptional and exigent circumstances, and when any member bank has no further eligible and acceptable assets available to enable it to obtain adequate credit accommodations through rediscounting at the Federal reserve bank or any other method provided by this Act other than that provided by section 10(a), any Federal Reserve bank, under rules and regulations prescribed by the Federal reserve Board, may make advances to such member bank on its time or demand

notes secured to the satisfaction of such Federal reserve bank. Each such note shall bear interest at a rate not less than 1 per centum per annum higher than the highest discount rate in effect at such Federal reserve bank on the date of such note. No advance shall be made under this section after March 3, 1934, or after the expiration of such additional period not exceeding one year as the President may prescribed."

Sec. 403. Section 13 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following new paragraph:

"Subject to such limitations, restrictions and regulations as the Federal Reserve Board may prescribe, any Federal reserve bank may make advances to any individual, partnership or corporation on the promissory notes of such individual, partnership or corporation secured by direct obligations of the United States. Such advances shall be made for periods not exceeding 90 days and shall bear interest at rates fixed from time to time by the Federal reserve bank, subject to the review and determination of the Federal Reserve Board."

TITLE V

Sec. 501. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,000,000, which shall be available for expenditure, under the direction of the President and in his discretion, for any purpose in connection with the carrying out of this Act.

Sec. 502. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, March 9, 1933, 8.30 p.m.

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Cestui Que Vie Act 1666

1666 CHAPTER 11 18 and 19 Cha 2

An Act for Redresse of Inconveniencies by want of Proofe of the Deceases of Persons beyond the Seas or absenting themselves, upon whose Lives Estates doe depend.

[X1]Recital that Cestui que vies have gone beyond Sea, and that Reversioners cannot find out whether they are alive or dead.

Whereas diverse Lords of Mannours and others have granted Estates by Lease for one or more life or lives, or else for yeares determinable upon one or more life or lives And it hath often happened that such person or persons for whose life or lives such Estates have beene granted have gone beyond the Seas or soe absented themselves for many yeares that the Lessors and Reversioners cannot finde out whether such person or persons be alive or dead by reason whereof such Lessors and Reversioners have beene held out of possession of their Tenements for many yeares after all the lives upon which such Estates depend are dead in regard that the Lessors and Reversioners when they have brought Actions for the recovery of their Tenements have beene putt upon it to prove the death of their Tennants when it is almost impossible for them to discover the same, For remedy of which mischeife soe frequently happening to such Lessors or Reversioners.

Annotations:

Editorial Information

X1 Abbreviations or contractions in the original form of this Act have been expanded into modern lettering in the text set out above and below.

Modifications etc. (not altering text)

C1 Short title "The Cestui que Vie Act 1666" given by Statute Law Revision Act 1948 (c. 62), **Sch. 2**

C2 Preamble omitted in part under authority of Statute Law Revision Act 1948 (c. 62), **Sch. 1**

C3 Certain words of enactment repealed by Statute Law Revision Act 1888 (c. 3) and remainder omitted under authority of Statute Law Revision Act 1948 (c. 62), **s. 3**

I.] Cestui que vie remaining beyond Sea for Seven Years together and no Proof of their Lives, Judge in Action to direct a Verdict as though Cestui que vie were dead.

If such person or persons for whose life or lives such Estates have beene or shall be granted as aforesaid shall remaine beyond the Seas or elsewhere absent themselves in this Realme by the space of seaven yeares together and noe sufficient and evident proofe be made of the lives of such person or persons respectively in any Action commenced for recovery of such Tenements by the Lessors or Reversioners in every such case the person or persons upon whose life or lives such Estate depended shall be accounted as naturally dead, And in every Action brought for the recovery of the said Tenements by the Lessors or Reversioners their Heires or Assignes, the Judges before whom such Action shall be brought shall direct the Jury to give their Verdict as if the person soe remaining beyond the Seas or otherwise absenting himselfe were dead.

II . . . . . [F1]

Annotations:

Amendments (Textual)

F1 S. II repealed by Statute Law Revision Act 1948 (c. 62), **Sch. 1**

III . . . . . [F2]

Annotations:

Amendments (Textual)

F2 S. III repealed by Statute Law Revision Act 1863 (c. 125)

IV If the supposed dead Man prove to be alive, then the Title is revested. Action for mean Profits with Interest.

[[X2]Provided alwayes That if any person or [[X3]person or] persons shall be evicted out of any Lands or Tenements by vertue of this Act, and afterwards if such person or persons upon whose life or lives such Estate or Estates depend shall returne againe from beyond the Seas, or shall on proofe in any Action to be brought for recovery of the same [to] be made appeare to be liveing; or to have beene liveing at the time of the Eviction That then and from thenceforth the Tennant or Lessee who was outed of the same his or their Executors Administrators or Assignes shall or may reenter repossesse have hold and enjoy the said Lands or Tenements in his or their former Estate for and dureing the Life or Lives or soe long terme as the said person or persons upon whose Life or Lives the said Estate or Estates depend shall be liveing, and alsoe shall upon Action or Actions to be brought by him or them against the Lessors Reversioners or Tennants in possession or other persons respectively which since the time of the said Eviction received the Proffitts of the said Lands or Tenements recover for damages the full Proffitts of the said Lands or Tenements respectively with lawfull Interest for and from the time that he or they were outed of the said Lands or Tenements, and kepte or held out of the same by the said Lessors Reversioners Tennants or other persons who after the said Eviction received the Proffitts of the said Lands or Tenements or any of

them respectively as well in the case when the said person or persons upon whose Life or Lives such Estate or Estates did depend are or shall be dead at the time of bringing of the said Action or Actions as if the said person or persons where then liveing.**]**

Annotations:

Editorial Information

X2 annexed to the Original Act in a separate Schedule

X3 Variant reading of the text noted in *The Statutes of the Realm* as follows: *O.* omits [*O.* refers to a collection in the library of Trinity College, Cambridge]

Changes to legislation:
There are currently no known outstanding effects for the Cestui Que Vie Act 1666.

The STASI Decomposition

Decomposition (Ministry for state security)

- Decomposition [1] [2] was a covert method of the Ministry for State Security (Stasi) of the GDR to Combating alleged and actual political opponents. The Stasi used the decomposition before, while, after or instead of an arrest of the target person. As a repressive prosecution practice it contained extensive covert control and manipulation functions to the family and personal relationships. [3] The term "operative psychology" was being taught at the Law School of the Stasi Potsdam/Oak, where you could acquire a doctoral degree in it.

Political and Social Conditions

- Since the early 1970s the Stasi on the basis of "changed conditions of class struggle" sanctioned and reinforced their efforts for oppositional behavior without the use of criminal law. This was caused by the quest for international recognition of the GDR and the German-German Convergence from the late 1960s. Thus, the GDR had both in basic agreement with the FRG [4] and with membership of the UN Charter [5] and the signing of the CSCE Final Act [6] to respect the Human Rights expressed its intention or obligation. Since the latter was also published in the New Germany, its implementation was an improvement particularly in relation to the adopted Exit rule, even for domestic political debate. Moreover, the communist regime tried the number of political prisoners instead, to reduce the concessions promised by the repressive practices below to compensate the threshold of arrest and conviction. [7]

Conceptual origin and definition

- The origin and use of the word comes from the military parlance: Under decomposition understood as a strategic measure of the psychological warfare with psychological resources to lower the morale of enemy soldiers. In the army there was the time of National Socialism specifically the concept of "undermining the war effort", but this was an entirely different meaning.

- The MfS defined the aims and methods of decomposition as follows:
  "The decomposition is a method to deal effectively with the Stasi subversive activity. with the Decomposition by various political and operational activities impact on hostile-negative persons, particularly hostile to their negative attitudes and beliefs taken in such a way that they are shaken and changed gradually or contradictions and differences between hostile-negative forces caused, exploited or intensified. The aim of decomposition is the Fragmentation, paralysis, disorganization and isolation of hostile-negative forces, thereby providing a differentiated political-ideological recovery. "
- Ministry of State Security: Dictionary of political-operative work, keyword: "decomposition" [8] In the secret of "undermining" Directive No. 1/76 states in addition:

- "Measures of decomposition are on the elicitation and the exploitation to gain such and address inconsistencies or differences between hostile and negative forces by which they are fragmented, crippled, disorganized and isolated, and their hostile and negative actions, including their effects will thus be reduced, substantially reduced or eliminated altogether."
- Directive No. 1/76 to the development processes and machining operating from 1 , 1976 [9]

Decomposition in practice

- The decomposition was a purely psychological instrument of repression, which the scientific evident "Operative psychology" was deliberately used to undermined the "self-confidence and self esteem of a person, create fear, panic, confusion, causing a loss of love and security and should stir up disappointment "[10]. They should be caused by political opponent's and life crises, so that they psychologically unsettle and burden, so the sacrifice of time and energy for anti-state activities was taken. The Stasi, who were behind the action should not have to be seen. [11] The writer Jurgen Fuchs spoke so well of "psycho-social crime" and an "attack on the soul of the People ". [10] Although already allowed for the late 1950s to demonstrate methods of decomposition, the decomposition method as defined in the mid 1970s and 1970s primarily in the scientific applied and 1980s. [12]

- "Proven applicable forms of degradation" the Directive 1/76 is called, among other things:
- "Systematic discrediting of public reputation, the reputation and prestige on the basis interconnected true, verifiable, and discrediting, and false, credible, non-rebuttable, and thus also discrediting information, systematic organization of professional and societal failures to undermine the confidence of individuals, generating [...] Doubt the personal perspective, creating mistrust and mutual suspicion within groups [...]; local and temporal. Prevent or limit the mutual relations of the members of a group [...] [...] for example, by assigning locals to remote jobs "

- Directive No. 1/76 to the development processes and machining operating from 1 , 1976 [13] Among the decomposition techniques also open, hidden or fake spying, letter or Telephone control of the "enemy of people worked", damaging private property, tampering with vehicles to the poisoning of food, "incorrect medical treatment" and strategically targeted and coercion of suicide. [14] It is controversial whether the Stasi began to X-rays at political opponent's health Cause long term damage. [15] Thus, with Rudolf Bahro, and Gerulf Pannach dead, only two to three years apart, about the same time incarcerated, prominent East German dissident Jurgen Fuchs died of rare Cancers [16].

- For the manipulation of friendship, love, marriage and family relationships the Stasi used anonymous letters, Telegrams and telephone calls as well as compromising photos. In addition, this targeted (even minor) "Unofficial collaborator" promoted and used. [17]

- Of the measures have been applied primarily to the Department (HA) XX of the Stasi in Berlin and the XX departments of the 15 county governments (BV) and 209 district offices (KD) of the Stasi. The purpose of supervision of religious communities, culture and media companies, block parties and social organizations, the education and health system and of sport covered the line XX virtually the entire public Life in the GDR. [18] The knowledge gained in this way turned to the Stasi for personality-oriented forms of degradation and picked it specifically personal characteristics such as "fear, uncertainty, egotism, Careerism, propensity toward criminal behavior, alcoholism, homosexuality and other sexual varieties, Collectors and game passion, addiction or dependence on drugs "[19] back. Thus did the MfS notes that "the personality-related forms, means and methods brought to the application of the decomposition are to achieve the greater success in the sense of preventive efficacy [...] [are]. "[19].

Target groups for measures of decomposition

- There exist no homogeneous group of decomposition measures, as the "political underground activities most sophisticated and diverse in appearance, "went in, and thus from the perspective of the MfS" a differentiated manner fighting it, "was necessary [20] Nevertheless, the Stasi called as the main target groups. [21]:

    - Combinations of emigration applicants
    - hostile groups critical artists
    - "reactionary clerical circles" (religious opposition groups)
    - Groups of youths
    - and their supporters (human rights and refugee assistance organizations, went out and expatriate Opposition)

Among the most prominent victims of decomposition measures Jürgen Fuchs, Gerulf Pannach, Rudolf Bahro, Wolf Biermann and Robert Havemann and Rainer Eppelmann.

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See also

- COINTELPRO

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or other uses, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this Act, shall proceed in conformity with the laws of said State.

Approved, December 19, 1913.

CHAP. 5.—An Act Amending an Act entitled "An Act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved March fourth, nineteen hundred and thirteen.

December 22, 1913.
[S. 2689.]
[Public, No. 42.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-six of the Act approved March fourth, nineteen hundred and thirteen, which authorizes the Secretary of the Treasury to enter into a contract or contracts for the erection of fireproof laboratories for the Bureau of Mines in the city of Pittsburgh, Pennsylvania, and so forth, is hereby amended so as to authorize the Secretary of the Treasury, in his discretion, to accept and expend, in addition to the limit of cost therein fixed, such funds as may be received by contribution from the State of Pennsylvania, or from other sources, for the purpose of enlarging, by purchase, condemnation, or otherwise, and improving the site authorized to be acquired for said Bureau of Mines, or for other work contemplated by said legislation: *Provided*, That the acceptance of such contributions and the improvements made therewith shall involve the United States in no expenditure in excess of the limit of cost heretofore fixed.

Public buildings.
Bureau of Mines laboratories, Pittsburgh, Pa.

Acceptance of additional funds.
Vol. 37, p. 688.

Proviso.
Limit of cost.

Approved, December 22, 1913.

CHAP. 6.—An Act To provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes.

December 23, 1913.
[H. R. 7837.]
[Public, No. 43.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the short title of this Act shall be the "Federal Reserve Act."

Federal Reserve Act.

Wherever the word "bank" is used in this Act, the word shall be held to include State bank, banking association, and trust company, except where national banks or Federal reserve banks are specifically referred to.

Terms construed.

The terms "national bank" and "national banking association" used in this Act shall be held to be synonymous and interchangeable. The term "member bank" shall be held to mean any national bank, State bank, or bank or trust company which has become a member of one of the reserve banks created by this Act. The term "board" shall be held to mean Federal Reserve Board; the term "district" shall be held to mean Federal reserve district; the term "reserve bank" shall be held to mean Federal reserve bank.

FEDERAL RESERVE DISTRICTS.

Federal reserve districts.

Designation of Federal reserve cities.

SEC. 2. As soon as practicable, the Secretary of the Treasury, the Secretary of Agriculture and the Comptroller of the Currency, acting as "The Reserve Bank Organization Committee," shall designate not less than eight nor more than twelve cities to be known as Federal reserve cities, and shall divide the continental United States, excluding Alaska, into districts, each district to contain only one of such Federal reserve cities. The determination of said organization

Districts.

committee shall not be subject to review except by the Federal Reserve Board when organized: *Provided*, That the districts shall be apportioned with due regard to the convenience and customary course of business and shall not necessarily be coterminous with any State or States. The districts thus created may be readjusted and new districts may from time to time be created by the Federal Reserve Board, not to exceed twelve in all. Such districts shall be known as Federal reserve districts and may be designated by number. A majority of the organization committee shall constitute a quorum with authority to act.

Proviso. Apportionment of territory.

Designation, etc.

Said organization committee shall be authorized to employ counsel and expert aid, to take testimony, to send for persons and papers, to administer oaths, and to make such investigation as may be deemed necessary by the said committee in determining the reserve districts and in designating the cities within such districts where such Federal reserve banks shall be severally located. The said committee shall supervise the organization in each of the cities designated of a Federal reserve bank, which shall include in its title the name of the city in which it is situated, as "Federal Reserve Bank of Chicago."

Reserve Bank Organization Committee. Duties and authority.

Under regulations to be prescribed by the organization committee, every national banking association in the United States is hereby required, and every eligible bank in the United States and every trust company within the District of Columbia, is hereby authorized to signify in writing, within sixty days after the passage of this Act, its acceptance of the terms and provisions hereof. When the organization committee shall have designated the cities in which Federal reserve banks are to be organized, and fixed the geographical limits of the Federal reserve districts, every national banking association within that district shall be required within thirty days after notice from the organization committee, to subscribe to the capital stock of such Federal reserve bank in a sum equal to six per centum of the paid-up capital stock and surplus of such bank, one-sixth of the subscription to be payable on call of the organization committee or of the Federal Reserve Board, one-sixth within three months and one-sixth within six months thereafter, and the remainder of the subscription, or any part thereof, shall be subject to call when deemed necessary by the Federal Reserve Board, said payments to be in gold or gold certificates.

Written acceptance of Act by banks.

Federal reserve banks.

Subscriptions by national banks to, required.

Payment for stock.

The shareholders of every Federal reserve bank shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such bank to the extent of the amount of their subscriptions to such stock at the par value thereof in addition to the amount subscribed, whether such subscriptions have been paid up in whole or in part, under the provisions of this Act.

Responsibility of shareholders.

Any national bank failing to signify its acceptance of the terms of this Act within the sixty days aforesaid, shall cease to act as a reserve agent, upon thirty days' notice, to be given within the discretion of the said organization committee or of the Federal Reserve Board.

Nonaccepting banks not to be reserve agents.

Should any national banking association in the United States now organized fail within one year after the passage of this Act to become a member bank or fail to comply with any of the provisions of this Act applicable thereto, all of the rights, privileges, and franchises of such association granted to it under the national-bank Act, or under the provisions of this Act, shall be thereby forfeited. Any noncompliance with or violation of this Act shall, however, be determined and adjudged by any court of the United States of competent jurisdiction in a suit brought for that purpose in the district or territory in which such bank is located, under direction of the Federal Reserve Board, by the Comptroller of the Currency in his own name before

Dissolution of nonaccepting national banks.

Dissolution for violations of this Act.

the association shall be declared dissolved. In cases of such noncompliance or violation, other than the failure to become a member bank under the provisions of this Act, every director who participated in or assented to the same shall be held liable in his personal or individual capacity for all damages which said bank, its shareholders, or any other person shall have sustained in consequence of such violation. Liability of directors.

Such dissolution shall not take away or impair any remedy against such corporation, its stockholders or officers, for any liability or penalty which shall have been previously incurred. Further remedies.

Should the subscriptions by banks to the stock of said Federal reserve banks or any one or more of them be, in the judgment of the organization committee, insufficient to provide the amount of capital required therefor, then and in that event the said organization committee may, under conditions and regulations to be prescribed by it, offer to public subscription at par such an amount of stock in said Federal reserve banks, or any one or more of them, as said committee shall determine, subject to the same conditions as to payment and stock liability as provided for member banks. Public subscriptions to stock of Federal reserve banks.

No individual, copartnership, or corporation other than a member bank of its district shall be permitted to subscribe for or to hold at any time more than $25,000 par value of stock in any Federal reserve bank. Such stock shall be known as public stock and may be transferred on the books of the Federal reserve bank by the chairman of the board of directors of such bank. Limit of public subscriptions.

Should the total subscriptions by banks and the public to the stock of said Federal reserve banks, or any one or more of them, be, in the judgment of the organization committee, insufficient to provide the amount of capital required therefor, then and in that event the said organization committee shall allot to the United States such an amount of said stock as said committee shall determine. Said United States stock shall be paid for at par out of any money in the Treasury not otherwise appropriated, and shall be held by the Secretary of the Treasury and disposed of for the benefit of the United States in such manner, at such times, and at such price, not less than par, as the Secretary of the Treasury shall determine. Conditional allotment to United States.

Payment, etc.

Stock not held by member banks shall not be entitled to voting power. No voting power.

The Federal Reserve Board is hereby empowered to adopt and promulgate rules and regulations governing the transfers of said stock. Transfers of stock.

No Federal reserve bank shall commence business with a subscribed capital less than $4,000,000. The organization of reserve districts and Federal reserve cities shall not be construed as changing the present status of reserve cities and central reserve cities, except in so far as this Act changes the amount of reserves that may be carried with approved reserve agents located therein. The organization committee shall have power to appoint such assistants and incur such expenses in carrying out the provisions of this Act as it shall deem necessary, and such expenses shall be payable by the Treasurer of the United States upon voucher approved by the Secretary of the Treasury, and the sum of $100,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the payment of such expenses. Capital required.

Appropriation for expenses of organization committee.

BRANCH OFFICES.

Branch offices.

SEC. 3. Each Federal reserve bank shall establish branch banks within the Federal reserve district in which it is located and may do so in the district of any Federal reserve bank which may have been suspended. Such branches shall be operated by a board of directors Establishment of branch banks.

Management, etc.

under rules and regulations approved by the Federal Reserve Board. Directors of branch banks shall possess the same qualifications as directors of the Federal reserve banks. Four of said directors shall be selected by the reserve bank and three by the Federal Reserve Board, and they shall hold office during the pleasure, respectively, of the parent bank and the Federal Reserve Board. The reserve bank shall designate one of the directors as manager.

Federal reserve banks.

FEDERAL RESERVE BANKS.

Establishment of districts and reserve cities.

SEC. 4. When the organization committee shall have established Federal reserve districts as provided in section two of this Act, a certificate shall be filed with the Comptroller of the Currency showing the geographical limits of such districts and the Federal reserve city designated in each of such districts. The Comptroller of the Currency shall thereupon cause to be forwarded to each national bank located in each district, and to such other banks declared to be eligible by the organization committee which may apply therefor, an application blank in form to be approved by the organization committee, which blank shall contain a resolution to be adopted by the board of directors of each bank executing such application, authorizing a subscription to the capital stock of the Federal reserve bank organizing in that district in accordance with the provisions of this Act.

Notice for organization.

Organization proceedings.

When the minimum amount of capital stock prescribed by this Act for the organization of any Federal reserve bank shall have been subscribed and allotted, the organization committee shall designate any five banks of those whose applications have been received, to execute a certificate of organization, and thereupon the banks so designated shall, under their seals, make an organization certificate which shall specifically state the name of such Federal reserve bank, the territorial extent of the district over which the operations of such Federal reserve bank are to be carried on, the city and State in which said bank is to be located, the amount of capital stock and the number of shares into which the same is divided, the name and place of doing business of each bank executing such certificate, and of all banks which have subscribed to the capital stock of such Federal reserve bank and the number of shares subscribed by each, and the fact that the certificate is made to enable those banks executing same, and all banks which have subscribed or may thereafter subscribe to the capital stock of such Federal reserve bank, to avail themselves of the advantages of this Act.

Deposit of certificate.

The said organization certificate shall be acknowledged before a judge of some court of record or notary public; and shall be, together with the acknowledgment thereof, authenticated by the seal of such court, or notary, transmitted to the Comptroller of the Currency, who shall file, record and carefully preserve the same in his office.

Corporate powers.

Upon the filing of such certificate with the Comptroller of the Currency as aforesaid, the said Federal reserve bank shall become a body corporate and as such, and in the name designated in such organization certificate, shall have power—

General.

First. To adopt and use a corporate seal.

Second. To have succession for a period of twenty years from its organization unless it is sooner dissolved by an Act of Congress, or unless its franchise becomes forfeited by some violation of law.

Third. To make contracts.

Fourth. To sue and be sued, complain and defend, in any court of law or equity.

Fifth. To appoint by its board of directors, such officers and employees as are not otherwise provided for in this Act, to define their

duties, require bonds of them and fix the penalty thereof, and to dismiss at pleasure such officers or employees.

Sixth. To prescribe by its board of directors, by-laws not inconsistent with law, regulating the manner in which its general business may be conducted, and the privileges granted to it by law may be exercised and enjoyed.

Seventh. To exercise by its board of directors, or duly authorized officers or agents, all powers specifically granted by the provisions of this Act and such incidental powers as shall be necessary to carry on the business of banking within the limitations prescribed by this Act.

Issue of circulating notes.

Eighth. Upon deposit with the Treasurer of the United States of any bonds of the United States in the manner provided by existing law relating to national banks, to receive from the Comptroller of the Currency circulating notes in blank, registered and countersigned as provided by law, equal in amount to the par value of the bonds so deposited, such notes to be issued under the same conditions and provisions of law as relate to the issue of circulating notes of national banks secured by bonds of the United States bearing the circulating privilege, except that the issue of such notes shall not be limited to the capital stock of such Federal reserve bank.

Restriction of business.

But no Federal reserve bank shall transact any business except such as is incidental and necessarily preliminary to its organization until it has been authorized by the Comptroller of the Currency to commence business under the provisions of this Act.

Board of directors.

Every Federal reserve bank shall be conducted under the supervision and control of a board of directors.

General duties.

The board of directors shall perform the duties usually appertaining to the office of directors of banking associations and all such duties as are prescribed by law.

Administration.

Said board shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks and shall, subject to the provisions of law and the orders of the Federal Reserve Board, extend to each member bank such discounts, advancements and accommodations as may be safely and reasonably made with due regard for the claims and demands of other member banks.

Number and term of directors. Classification.

Such board of directors shall be selected as hereinafter specified and shall consist of nine members, holding office for three years, and divided into three classes, designated as classes A, B, and C.

Class A.

Class A shall consist of three members, who shall be chosen by and be representative of the stock-holding banks.

Post, p. 733.

Class B.

Class B shall consist of three members, who at the time of their election shall be actively engaged in their district in commerce, agriculture or some other industrial pursuit.

Class C.

Class C shall consist of three members who shall be designated by the Federal Reserve Board.

Chairman of board.

When the necessary subscriptions to the capital stock have been obtained for the organization of any Federal reserve bank, the Federal Reserve Board shall appoint the class C directors and shall designate one of such directors as chairman of the board to be selected. Pending the designation of such chairman, the organization committee shall exercise the powers and duties appertaining to the office of chairman in the organization of such Federal reserve bank.

Service of Senators or Representatives forbidden.

No Senator or Representative in Congress shall be a member of the Federal Reserve Board or an officer or a director of a Federal reserve bank.

Other disqualifications.

No director of class B shall be an officer, director, or employee of any bank.

No director of class C shall be an officer, director, employee, or stockholder of any bank.

Directors of class A and class B.

Directors of class A and class B shall be chosen in the following manner:

Procedure for choosing.

The chairman of the board of directors of the Federal reserve bank of the district in which the bank is situated or, pending the appointment of such chairman, the organization committee shall classify the member banks of the district into three general groups or divisions. Each group shall contain as nearly as may be one-third of the aggregate number of the member banks of the district and shall consist, as nearly as may be, of banks of similar capitalization. The groups shall be designated by number by the chairman.

Electors for member banks.

At a regularly called meeting of the board of directors of each member bank in the district it shall elect by ballot a district reserve elector and shall certify his name to the chairman of the board of directors of the Federal reserve bank of the district. The chairman shall make lists of the district reserve electors thus named by banks in each of the aforesaid three groups and shall transmit one list to each elector in each group.

Nomination of candidates.

Each member bank shall be permitted to nominate to the chairman one candidate for director of class A and one candidate for director of class B. The candidates so nominated shall be listed by the chairman, indicating by whom nominated, and a copy of said list shall, within fifteen days after its completion, be furnished by the chairman to each elector.

Balloting for directors.

Every elector shall, within fifteen days after the receipt of the said list, certify to the chairman his first, second, and other choices of a director of class A and class B, respectively, upon a preferential ballot, on a form furnished by the chairman of the board of directors of the Federal reserve bank of the district. Each elector shall make a cross opposite the name of the first, second, and other choices for a director of class A and for a director of class B, but shall not vote more than one choice for any one candidate.

Declaration of result.

Any candidate having a majority of all votes cast in the column of first choice shall be declared elected. If no candidate have a majority of all the votes in the first column, then there shall be added together the votes cast by the electors for such candidates in the second column and the votes cast for the several candidates in the first column. If any candidate then have a majority of the electors voting, by adding together the first and second choices, he shall be declared elected. If no candidate have a majority of electors voting when the first and second choices shall have been added, then the votes cast in the third column for other choices shall be added together in like manner, and the candidate then having the highest number of votes shall be declared elected. An immediate report of election shall be declared.

Class C directors. Appointment.

Class C directors shall be appointed by the Federal Reserve Board. They shall have been for at least two years residents of the district for which they are appointed, one of whom shall be designated by said board as chairman of the board of directors of the Federal reserve bank and as "Federal reserve agent." He shall be a person of tested banking experience; and in addition to his duties as chairman of the board of directors of the Federal reserve bank he shall be required to maintain under regulations to be established by the Federal Reserve Board a local office of said board on the premises of the Federal reserve bank. He shall make regular reports to the Federal Reserve Board, and shall act as its official representative for the performance of the functions conferred upon it by this Act. He shall receive an annual compensation to be fixed by the Federal Reserve Board and paid monthly by the Federal reserve bank to which he is designated. One of the directors of class C, who shall be a person of tested banking experience, shall be appointed by the Federal Reserve Board as

Chairman of board and Federal reserve agent. Duties, etc.

Pay.

Deputy.

deputy chairman and deputy Federal reserve agent to exercise the powers of the chairman of the board and Federal reserve agent in case of absence or disability of his principal.

Compensation of directors.

Directors of Federal reserve banks shall receive, in addition to any compensation otherwise provided, a reasonable allowance for necessary expenses in attending meetings of their respective boards, which amount shall be paid by the respective Federal reserve banks. Any compensation that may be provided by boards of directors of Federal reserve banks for directors, officers or employees shall be subject to the approval of the Federal Reserve Board.

Preliminary meetings.

The Reserve Bank Organization Committee may, in organizing Federal reserve banks, call such meetings of bank directors in the several districts as may be necessary to carry out the purposes of this Act, and may exercise the functions herein conferred upon the chairman of the board of directors of each Federal reserve bank pending the complete organization of such bank.

Designation of first terms of members.

At the first meeting of the full board of directors of each Federal reserve bank, it shall be the duty of the directors of classes A, B and C, respectively, to designate one of the members of each class whose term of office shall expire in one year from the first of January nearest to date of such meeting, one whose term of office shall expire at the end of two years from said date, and one whose term of office shall expire at the end of three years from said date. Thereafter every director of a Federal reserve bank chosen as hereinbefore provided shall hold office for a term of three years. Vacancies that may occur in the several classes of directors of Federal reserve banks may be filled in the manner provided for the original selection of such directors, such appointees to hold office for the unexpired terms of their predecessors.

Subsequent tenure.

Vacancies.

STOCK ISSUES; INCREASE AND DECREASE OF CAPITAL.

Capital stock.

Provision for increase or decrease.

SEC. 5. The capital stock of each Federal reserve bank shall be divided into shares of $100 each. The outstanding capital stock shall be increased from time to time as member banks increase their capital stock and surplus or as additional banks become members, and may be decreased as member banks reduce their capital stock or surplus or cease to be members. Shares of the capital stock of Federal reserve banks owned by member banks shall not be transferred or hypothecated. When a member bank increases its capital stock or surplus, it shall thereupon subscribe for an additional amount of capital stock of the Federal reserve bank of its district equal to six per centum of the said increase, one-half of said subscription to be paid in the manner hereinbefore provided for original subscription, and one-half subject to call of the Federal Reserve Board. A bank applying for stock in a Federal reserve bank at any time after the organization thereof must subscribe for an amount of the capital stock of the Federal reserve bank equal to six per centum of the paid-up capital stock and surplus of said applicant bank, paying therefor its par value plus one-half of one per centum a month from the period of the last dividend. When the capital stock of any Federal reserve bank shall have been increased either on account of the increase of capital stock of member banks or on account of the increase in the number of member banks, the board of directors shall cause to be executed a certificate to the Comptroller of the Currency showing the increase in capital stock, the amount paid in, and by whom paid. When a member bank reduces its capital stock it shall surrender a proportionate amount of its holdings in the capital of said Federal reserve bank, and when a member bank voluntarily liquidates it shall surrender all of its holdings of the capital stock of said Federal reserve bank and be released from its stock

Stock of member banks not transferable.

Additional subscription from member banks increasing their capital.

Subscriptions from new members.

Certificate of increase.

Surrender from members reducing capital, etc.

Cancellation and payment of surrendered shares.

subscription not previously called. In either case the shares surrendered shall be canceled and the member bank shall receive in payment therefor, under regulations to be prescribed by the Federal Reserve Board, a sum equal to its cash-paid subscriptions on the shares surrendered and one-half of one per centum a month from the period of the last dividend, not to exceed the book value thereof, less any liability of such member bank to the Federal reserve bank.

Insolvent members. Cancellation of stock, etc.

SEC. 6. If any member bank shall be declared insolvent and a receiver appointed therefor, the stock held by it in said Federal reserve bank shall be canceled, without impairment of its liability, and all cash-paid subscriptions on said stock, with one-half of one per centum per month from the period of last dividend, not to exceed the book value thereof, shall be first applied to all debts of the insolvent member bank to the Federal reserve bank, and the balance, if any, shall be paid to the receiver of the insolvent bank. Whenever the capital stock of a Federal reserve bank is reduced, either on account of a reduction in capital stock of any member bank or of the liquidation or insolvency of such bank, the board of directors shall cause to be executed a certificate to the Comptroller of the Currency showing such reduction of capital stock and the amount repaid to such bank.

Certificate of reductions.

Division of earnings.

DIVISION OF EARNINGS.

Annual dividends.

SEC. 7. After all necessary expenses of a Federal reserve bank have been paid or provided for, the stockholders shall be entitled to receive an annual dividend of six per centum on the paid-in capital stock, which dividend shall be cumulative. After the aforesaid dividend claims have been fully met, all the net earnings shall be paid to the United States as a franchise tax, except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to forty per centum of the paid-in capital stock of such bank.

Franchise tax.

Surplus fund.

Disposition of earnings derived by United States.

The net earnings derived by the United States from Federal reserve banks shall, in the discretion of the Secretary, be used to supplement the gold reserve held against outstanding United States notes, or shall be applied to the reduction of the outstanding bonded indebtedness of the United States under regulations to be prescribed by the Secretary of the Treasury. Should a Federal reserve bank be dissolved or go into liquidation, any surplus remaining, after the payment of all debts, dividend requirements as hereinbefore provided, and the par value of the stock, shall be paid to and become the property of the United States and shall be similarly applied.

Banks dissolving, etc.

Tax exemption.

Federal reserve banks, including the capital stock and surplus therein, and the income derived therefrom shall be exempt from Federal, State, and local taxation, except taxes upon real estate.

National banks.

SEC. 8. Section fifty-one hundred and fifty-four, United States Revised Statutes, is hereby amended to read as follows:

Conversion of State, etc., banks into. R. S., sec. 5154, p. 896, amended.

Any bank incorporated by special law of any State or of the United States or organized under the general laws of any State or of the United States and having an unimpaired capital sufficient to entitle it to become a national banking association under the provisions of the existing laws may, by the vote of the shareholders owning not less than fifty-one per centum of the capital stock of such bank or banking association, with the approval of the Comptroller of the Currency be converted into a national banking association, with any name approved by the Comptroller of the Currency:

Proviso. Not to contravene State law.

Provided, however, That said conversion shall not be in contravention of the State law. In such case the articles of association and organization certificate may be executed by a majority of the directors of the bank or banking institution, and the certificate shall declare that

Declaration by directors.

the owners of fifty-one per centum of the capital stock have authorized the directors to make such certificate and to change or convert the bank or banking institution into a national association. A majority of the directors, after executing the articles of association and the organization certificate, shall have power to execute all other papers and to do whatever may be required to make its organization perfect and complete as a national association. The shares of any such bank may continue to be for the same amount each as they were before the conversion, and the directors may continue to be directors of the association until others are elected or appointed in accordance with the provisions of the statutes of the United States. When the Comptroller has given to such bank or banking association a certificate that the provisions of this Act have been complied with, such bank or banking association, and all its stockholders, officers, and employees, shall have the same powers and privileges, and shall be subject to the same duties, liabilities, and regulations, in all respects, as shall have been prescribed by the Federal Reserve Act and by the national banking Act for associations originally organized as national banking associations.

Capital stock.

Certificate, etc.

STATE BANKS AS MEMBERS.

State banks, etc.

SEC. 9. Any bank incorporated by special law of any State, or organized under the general laws of any State or of the United States, may make application to the reserve bank organization committee, pending organization, and thereafter to the Federal Reserve Board for the right to subscribe to the stock of the Federal reserve bank organized or to be organized within the Federal reserve district where the applicant is located. The organization committee or the Federal Reserve Board, under such rules and regulations as it may prescribe, subject to the provisions of this section, may permit the applying bank to become a stockholder in the Federal reserve bank of the district in which the applying bank is located. Whenever the organization committee or the Federal Reserve Board shall permit the applying bank to become a stockholder in the Federal reserve bank of the district, stock shall be issued and paid for under the rules and regulations in this Act provided for national banks which become stockholders in Federal reserve banks.

Application to become member banks.

Issue of stock.

The organization committee or the Federal Reserve Board shall establish by-laws for the general government of its conduct in acting upon applications made by the State banks and banking associations and trust companies for stock ownership in Federal reserve banks. Such by-laws shall require applying banks not organized under Federal law to comply with the reserve and capital requirements and to submit to the examination and regulations prescribed by the organization committee or by the Federal Reserve Board. No applying bank shall be admitted to membership in a Federal reserve bank unless it possesses a paid-up unimpaired capital sufficient to entitle it to become a national banking association in the place where it is situated, under the provisions of the national banking Act.

Organization.

By-laws.

Capital required.

Any bank becoming a member of a Federal reserve bank under the provisions of this section shall, in addition to the regulations and restrictions hereinbefore provided, be required to conform to the provisions of law imposed on the national banks respecting the limitation of liability which may be incurred by any person, firm, or corporation to such banks, the prohibition against making purchase of or loans on stock of such banks, and the withdrawal or impairment of capital, or the payment of unearned dividends, and to such rules and regulations as the Federal Reserve Board may, in pursuance thereof, prescribe.

Additional restrictions.

Subject to specified regulations.

R. S., secs. 5208, 5201, 5209, 5200, pp. 1005–1007.

R. S., secs. 5211–5213, pp. 1007, 1008.

Such banks, and the officers, agents, and employees thereof, shall also be subject to the provisions of and to the penalties prescribed by sections fifty-one hundred and ninety-eight, fifty-two hundred, fifty-two hundred and one, and fifty-two hundred and eight, and fifty-two hundred and nine of the Revised Statutes. The member banks shall also be required to make reports of the conditions and of the payments of dividends to the comptroller, as provided in sections fifty-two hundred and eleven and fifty-two hundred and twelve of the Revised Statutes, and shall be subject to the penalties prescribed by section fifty-two hundred and thirteen for the failure to make such report.

Member banks not complying with regulations, etc., to be suspended.

Cancellation of stock, etc.

If at any time it shall appear to the Federal Reserve Board that a member bank has failed to comply with the provisions of this section or the regulations of the Federal Reserve Board, it shall be within the power of the said board, after hearing, to require such bank to surrender its stock in the Federal reserve bank; upon such surrender the Federal reserve bank shall pay the cash-paid subscriptions to the said stock with interest at the rate of one-half of one per centum per month, computed from the last dividend, if earned, not to exceed the book value thereof, less any liability to said Federal reserve bank, except the subscription liability not previously called, which shall be canceled, and said Federal reserve bank shall, upon notice from the Federal Reserve Board, be required to suspend said bank from further privileges of membership, and shall within thirty days of such notice cancel and retire its stock and make payment therefor in the manner herein provided.

Restoration.

The Federal Reserve Board may restore membership upon due proof of compliance with the conditions imposed by this section.

Federal Reserve Board.

FEDERAL RESERVE BOARD.

Created; membership.

SEC. 10. A Federal Reserve Board is hereby created which shall consist of seven members, including the Secretary of the Treasury and the Comptroller of the Currency, who shall be members ex officio, and five members appointed by the President of the United States, by and with the advice and consent of the Senate. In selecting the five appointive members of the Federal Reserve Board, not more than one of whom shall be selected from any one Federal reserve district, the President shall have due regard to a fair representation of the different commercial, industrial and geographical divisions of the country. The five members of the Federal Reserve Board appointed by the President and confirmed as aforesaid shall devote their entire time to the business of the Federal Reserve Board and shall each receive an annual salary of $12,000, payable monthly together with actual necessary traveling expenses, and the Comptroller of the Currency, as ex officio member of the Federal Reserve Board, shall, in addition to the salary now paid him as Comptroller of the Currency, receive the sum of $7,000 annually for his services as a member of said board.

Appointive members.

Duties, salaries, etc.

Additional pay to Comptroller of the Currency.

Connections with member banks forbidden.

The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank.

Tenure of appointive members.

Of the five members thus appointed by the President at least two shall be persons experienced in banking or finance. One shall be designated by the President to serve for two, one for four, one for six, one for eight, and one for ten years, and thereafter each member so appointed shall serve for a term of ten years unless sooner removed for cause by the President.

Governor and vice governor.

Of the five persons thus appointed, one shall be designated by the President as governor and one as vice governor of the Federal Reserve Board. The governor of

the Federal Reserve Board, subject to its supervision, shall be the active executive officer. The Secretary of the Treasury may assign offices in the Department of the Treasury for the use of the Federal Reserve Board. Each member of the Federal Reserve Board shall within fifteen days after notice of appointment make and subscribe to the oath of office.

Offices, etc.

The Federal Reserve Board shall have power to levy semiannually upon the Federal reserve banks, in proportion to their capital stock and surplus, an assessment sufficient to pay its estimated expenses and the salaries of its members and employees for the half year succeeding the levying of such assessment, together with any deficit carried forward from the preceding half year.

Assessment for expenses.

The first meeting of the Federal Reserve Board shall be held in Washington, District of Columbia, as soon as may be after the passage of this Act, at a date to be fixed by the Reserve Bank Organization Committee. The Secretary of the Treasury shall be ex officio chairman of the Federal Reserve Board. No member of the Federal Reserve Board shall be an officer or director of any bank, banking institution, trust company, or Federal reserve bank nor hold stock in any bank, banking institution, or trust company; and before entering upon his duties as a member of the Federal Reserve Board he shall certify under oath to the Secretary of the Treasury that he has complied with this requirement. Whenever a vacancy shall occur, other than by expiration of term, among the five members of the Federal Reserve Board appointed by the President, as above provided, a successor shall be appointed by the President, with the advice and consent of the Senate, to fill such vacancy, and when appointed he shall hold office for the unexpired term of the member whose place he is selected to fill.

Meetings, etc.

Disqualifications.

Vacancies.

The President shall have power to fill all vacancies that may happen on the Federal Reserve Board during the recess of the Senate, by granting commissions which shall expire thirty days after the next session of the Senate convenes.

Commissions during recess of the Senate.

Nothing in this Act contained shall be construed as taking away any powers heretofore vested by law in the Secretary of the Treasury which relate to the supervision, management, and control of the Treasury Department and bureaus under such department, and wherever any power vested by this Act in the Federal Reserve Board or the Federal reserve agent appears to conflict with the powers of the Secretary of the Treasury, such powers shall be exercised subject to the supervision and control of the Secretary.

Powers of Secretary of the Treasury unimpaired.

The Federal Reserve Board shall annually make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of the Congress.

Annual report.

Section three hundred and twenty-four of the Revised Statutes of the United States shall be amended so as to read as follows: There shall be in the Department of the Treasury a bureau charged with the execution of all laws passed by Congress relating to the issue and regulation of national currency secured by United States bonds and, under the general supervision of the Federal Reserve Board, of all Federal reserve notes, the chief officer of which bureau shall be called the Comptroller of the Currency and shall perform his duties under the general directions of the Secretary of the Treasury.

Office of Comptroller of the Currency.

Duties.
R. S., sec. 324, p. 54, amended.

SEC. 11. The Federal Reserve Board shall be authorized and empowered:

Authority and powers of Board.

(a) To examine at its discretion the accounts, books and affairs of each Federal reserve bank and of each member bank and to require such statements and reports as it may deem necessary. The said board shall publish once each week a statement showing the condition of each Federal reserve bank and a consolidated statement for all Federal reserve banks. Such statements shall show in detail the

Examination, etc., of reserve and member banks.

Published statements.

assets and liabilities of the Federal reserve banks, single and combined, and shall furnish full information regarding the character of the money held as reserve and the amount, nature and maturities of the paper and other investments owned or held by Federal reserve banks.

Rediscounted paper.

(b) To permit, or, on the affirmative vote of at least five members of the Reserve Board to require Federal reserve banks to rediscount the discounted paper of other Federal reserve banks at rates of interest to be fixed by the Federal Reserve Board.

Suspension of reserve requirements.

(c) To suspend for a period not exceeding thirty days, and from time to time to renew such suspension for periods not exceeding fifteen days, any reserve requirement specified in this Act: *Provided*, That it shall establish a graduated tax upon the amounts by which the reserve requirements of this Act may be permitted to fall below the level hereinafter specified: *And provided further*, That when the gold reserve held against Federal reserve notes falls below forty per centum, the Federal Reserve Board shall establish a graduated tax of not more than one per centum per annum upon such deficiency until the reserves fall to thirty-two and one-half per centum, and when said reserve falls below thirty-two and one-half per centum, a tax at the rate increasingly of not less than one and one-half per centum per annum upon each two and one-half per centum or fraction thereof that such reserve falls below thirty-two and one-half per centum. The tax shall be paid by the reserve bank, but the reserve bank shall add an amount equal to said tax to the rates of interest and discount fixed by the Federal Reserve Board.

Proviso. Tax imposed.

Graduated rates.

Increase of interest rates.

Control of Federal reserve notes.

(d) To supervise and regulate through the bureau under the charge of the Comptroller of the Currency the issue and retirement of Federal reserve notes, and to prescribe rules and regulations under which such notes may be delivered by the Comptroller to the Federal reserve agents applying therefor.

Reserve cities.

(e) To add to the number of cities classified as reserve and central reserve cities under existing law in which national banking associations are subject to the reserve requirements set forth in section twenty of this Act; or to reclassify existing reserve and central reserve cities or to terminate their designation as such.

Post, p. 271.

Reserve bank officials.

(f) To suspend or remove any officer or director of any Federal reserve bank, the cause of such removal to be forthwith communicated in writing by the Federal Reserve Board to the removed officer or director and to said bank.

Doubtful assets.

(g) To require the writing off of doubtful or worthless assets upon the books and balance sheets of Federal reserve banks.

Suspension of reserve banks.

(h) To suspend, for the violation of any of the provisions of this Act, the operations of any Federal reserve bank, to take possession thereof, administer the same during the period of suspension, and, when deemed advisable, to liquidate or reorganize such bank.

General authority over reserve agents, etc.

(i) To require bonds of Federal reserve agents, to make regulations for the safeguarding of all collateral, bonds, Federal reserve notes, money or property of any kind deposited in the hands of such agents, and said board shall perform the duties, functions, or services specified in this Act, and make all rules and regulations necessary to enable said board effectively to perform the same.

Supervision of reserve banks.

(j) To exercise general supervision over said Federal reserve banks.

Fiduciary permits.

(k) To grant by special permit to national banks applying therefor, when not in contravention of State or local law, the right to act as trustee, executor, administrator, or registrar of stocks and bonds under such rules and regulations as the said board may prescribe.

Employees.

(l) To employ such attorneys, experts, assistants, clerks, or other employees as may be deemed necessary to conduct the business of the board. All salaries and fees shall be fixed in advance by said board and shall be paid in the same manner as the salaries of the

members of said board. All such attorneys, experts, assistants, clerks, and other employees shall be appointed without regard to the provisions of the Act of January sixteenth, eighteen hundred and eighty-three (volume twenty-two, United States Statutes at Large, page four hundred and three), and amendments thereto, or any rule or regulation made in pursuance thereof: *Provided*, That nothing herein shall prevent the President from placing said employees in the classified service.

Appointments without regard to civil service laws, etc. Vol. 22, p. 403.

Proviso. Authority of the President.

FEDERAL ADVISORY COUNCIL.

Federal Advisory Council.

Created.

SEC. 12. There is hereby created a Federal Advisory Council, which shall consist of as many members as there are Federal reserve districts. Each Federal reserve bank by its board of directors shall annually select from its own Federal reserve district one member of said council, who shall receive such compensation and allowances as may be fixed by his board of directors subject to the approval of the Federal Reserve Board. The meetings of said advisory council shall be held at Washington, District of Columbia, at least four times each year, and oftener if called by the Federal Reserve Board. The council may in addition to the meetings above provided for hold such other meetings in Washington, District of Columbia, or elsewhere, as it may deem necessary, may select its own officers and adopt its own methods of procedure, and a majority of its members shall constitute a quorum for the transaction of business. Vacancies in the council shall be filled by the respective reserve banks, and members selected to fill vacancies, shall serve for the unexpired term.

Selection of members, pay, etc.

Meetings, officers, etc.

The Federal Advisory Council shall have power, by itself or through its officers, (1) to confer directly with the Federal Reserve Board on general business conditions; (2) to make oral or written representations concerning matters within the jurisdiction of said board; (3) to call for information and to make recommendations in regard to discount rates, rediscount business, note issues, reserve conditions in the various districts, the purchase and sale of gold or securities by reserve banks, open-market operations by said banks, and the general affairs of the reserve banking system.

Authority and duties.

POWERS OF FEDERAL RESERVE BANKS.

Federal reserve banks.

Deposits allowed.

SEC. 13. Any Federal reserve bank may receive from any of its member banks, and from the United States, deposits of current funds in lawful money, national-bank notes, Federal reserve notes, or checks and drafts upon solvent member banks, payable upon presentation; or, solely for exchange purposes, may receive from other Federal reserve banks deposits of current funds in lawful money, national-bank notes, or checks and drafts upon solvent member or other Federal reserve banks, payable upon presentation.

Discounting commercial paper.

Upon the indorsement of any of its member banks, with a waiver of demand, notice and protest by such bank, any Federal reserve bank may discount notes, drafts, and bills of exchange arising out of actual commercial transactions; that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or are to be used, for such purposes, the Federal Reserve Board to have the right to determine or define the character of the paper thus eligible for discount, within the meaning of this Act. Nothing in this Act contained shall be construed to prohibit such notes, drafts, and bills of exchange, secured by staple agricultural products, or other goods, wares, or merchandise from being eligible for such discount; but such definition shall not include notes, drafts, or bills covering merely investments or issued

Description.

Agricultural, etc., paper.

Stock trading paper excluded.

Time limit.

Proviso.
Additional for agricultural notes, etc.

Rediscounting foreign trade acceptances.
Post, p. 968.

Restriction on rediscounts.

Dealing in foreign trade paper by member banks allowed.

National banks.
Debts limited.
R. S., sec. 5202, p. 1006, amended.

Exceptions.
Circulating notes.
Deposits.
Drafts, etc.
Dividends, etc.

Federal reserve provisions added.

Regulation of rediscounts, etc.

or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities, except bonds and notes of the Government of the United States. Notes, drafts, and bills admitted to discount under the terms of this paragraph must have a maturity at the time of discount of not more than ninety days: *Provided*, That notes, drafts, and bills drawn or issued for agricultural purposes or based on live stock and having a maturity not exceeding six months may be discounted in an amount to be limited to a percentage of the capital of the Federal reserve bank, to be ascertained and fixed by the Federal Reserve Board.

Any Federal reserve bank may discount acceptances which are based on the importation or exportation of goods and which have a maturity at time of discount of not more than three months, and indorsed by at least one member bank. The amount of acceptances so discounted shall at no time exceed one-half the paid-up capital stock and surplus of the bank for which the rediscounts are made.

The aggregate of such notes and bills bearing the signature or indorsement of any one person, company, firm, or corporation rediscounted for any one bank shall at no time exceed ten per centum of the unimpaired capital and surplus of said bank; but this restriction shall not apply to the discount of bills of exchange drawn in good faith against actually existing values.

Any member bank may accept drafts or bills of exchange drawn upon it and growing out of transactions involving the importation or exportation of goods having not more than six months sight to run; but no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half its paid-up capital stock and surplus.

Section fifty-two hundred and two of the Revised Statutes of the United States is hereby amended so as to read as follows: No national banking association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in and remaining undiminished by losses or otherwise, except on account of demands of the nature following:

First. Notes of circulation.

Second. Moneys deposited with or collected by the association.

Third. Bills of exchange or drafts drawn against money actually on deposit to the credit of the association, or due thereto.

Fourth. Liabilities to the stockholders of the association for dividends and reserve profits.

Fifth. Liabilities incurred under the provisions of the Federal Reserve Act.

The rediscount by any Federal reserve bank of any bills receivable and of domestic and foreign bills of exchange, and of acceptances authorized by this Act, shall be subject to such restrictions, limitations, and regulations as may be imposed by the Federal Reserve Board.

Open-market operations.

OPEN-MARKET OPERATIONS.

Federal reserve banks may deal in commercial paper, etc.

SEC. 14. Any Federal reserve bank may, under rules and regulations prescribed by the Federal Reserve Board, purchase and sell in the open market, at home or abroad, either from or to domestic or foreign banks, firms, corporations, or individuals, cable transfers and bankers' acceptances and bills of exchange of the kinds and maturities by this Act made eligible for rediscount, with or without the indorsement of a member bank.

Additional powers.
Gold transactions.

Every Federal reserve bank shall have power:

(a) To deal in gold coin and bullion at home or abroad, to make loans thereon, exchange Federal reserve notes for gold, gold coin, or gold certificates, and to contract for loans of gold coin or bullion, giving therefor, when necessary, acceptable security, including the

hypothecation of United States bonds or other securities which Federal reserve banks are authorized to hold;

Bonds, notes, etc.

(b) To buy and sell, at home or abroad, bonds and notes of the United States, and bills, notes, revenue bonds, and warrants with a maturity from date of purchase of not exceeding six months, issued in anticipation of the collection of taxes or in anticipation of the receipt of assured revenues by any State, county, district, political subdivision, or municipality in the continental United States, including irrigation, drainage and reclamation districts, such purchases to be made in accordance with rules and regulations prescribed by the Federal Reserve Board;

Commercial exchange.

(c) To purchase from member banks and to sell, with or without its indorsement, bills of exchange arising out of commercial transactions, as hereinbefore defined;

Discount rates.

(d) To establish from time to time, subject to review and determination of the Federal Reserve Board, rates of discount to be charged by the Federal reserve bank for each class of paper, which shall be fixed with a view of accommodating commerce and business;

Foreign accounts and agencies.

(e) To establish accounts with other Federal reserve banks for exchange purposes and, with the consent of the Federal Reserve Board, to open and maintain banking accounts in foreign countries, appoint correspondents, and establish agencies in such countries wheresoever it may deem best for the purpose of purchasing, selling, and collecting bills of exchange, and to buy and sell with or without its indorsement, through such correspondents or agencies, bills of exchange arising out of actual commercial transactions which have not more than ninety days to run and which bear the signature of two or more responsible parties.

GOVERNMENT DEPOSITS.

Government deposits.

Use of reserve bank as fiscal agents, etc.

SEC. 15. The moneys held in the general fund of the Treasury, except the five per centum fund for the redemption of outstanding national-bank notes and the funds provided in this Act for the redemption of Federal reserve notes may, upon the direction of the Secretary of the Treasury, be deposited in Federal reserve banks, which banks, when required by the Secretary of the Treasury, shall act as fiscal agents of the United States; and the revenues of the Government or any part thereof may be deposited in such banks, and disbursements may be made by checks drawn against such deposits.

Deposit of public funds restricted.

No public funds of the Philippine Islands, or of the postal savings, or any Government funds, shall be deposited in the continental United States in any bank not belonging to the system established by this Act: *Provided, however*, That nothing in this Act shall be construed to deny the right of the Secretary of the Treasury to use member banks as depositories.

Proviso.
Use of member banks as depositories.

NOTE ISSUES.

Federal reserve notes.

Issue authorized.

SEC. 16. Federal reserve notes, to be issued at the discretion of the Federal Reserve Board for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are hereby authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in gold on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or in gold or lawful money at any Federal reserve bank.

Receivability.

Redemption.

Applications for, by reserve banks.

Any Federal reserve bank may make application to the local Federal reserve agent for such amount of the Federal reserve notes hereinbefore provided for as it may require. Such application shall

Collateral required.

be accompanied with a tender to the local Federal reserve agent of collateral in amount equal to the sum of the Federal reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes and bills, accepted for rediscount under the provisions of section thirteen of this Act, and the Federal reserve agent shall each day notify the Federal Reserve Board of all issues and withdrawals of Federal reserve notes to and by the Federal reserve bank to which he is accredited. The said Federal Reserve Board may at any time call upon a Federal reserve bank for additional security to protect the Federal reserve notes issued to it.

Ante, p. 263.

Additional security.

Reserves required for deposits and circulation.

Every Federal reserve bank shall maintain reserves in gold or lawful money of not less than thirty-five per centum against its deposits and reserves in gold of not less than forty per centum against its Federal reserve notes in actual circulation, and not offset by gold or lawful money deposited with the Federal reserve agent. Notes so paid out shall bear upon their faces a distinctive letter and serial number, which shall be assigned by the Federal Reserve Board to each Federal reserve bank. Whenever Federal reserve notes issued through one Federal reserve bank shall be received by another Federal reserve bank they shall be promptly returned for credit or redemption to the Federal reserve bank through which they were originally issued. No Federal reserve bank shall pay out notes issued through another under penalty of a tax of ten per centum upon the face value of notes so paid out. Notes presented for redemption at the Treasury of the United States shall be paid out of the redemption fund and returned to the Federal reserve banks through which they were originally issued, and thereupon such Federal reserve bank shall, upon demand of the Secretary of the Treasury, reimburse such redemption fund in lawful money or, if such Federal reserve notes have been redeemed by the Treasurer in gold or gold certificates, then such funds shall be reimbursed to the extent deemed necessary by the Secretary of the Treasury in gold or gold certificates, and such Federal reserve bank shall, so long as any of its Federal reserve notes remain outstanding, maintain with the Treasurer in gold an amount sufficient in the judgment of the Secretary to provide for all redemptions to be made by the Treasurer. Federal reserve notes received by the Treasury, otherwise than for redemption, may be exchanged for gold out of the redemption fund hereinafter provided and returned to the reserve bank through which they were originally issued, or they may be returned to such bank for the credit of the United States. Federal reserve notes unfit for circulation shall be returned by the Federal reserve agents to the Comptroller of the Currency for cancellation and destruction.

Designation of notes.

Reserve banks to return notes to issuing banks.

Penalty for using otherwise.

Redemption at the Treasury.

Reimbursement by reserve bank.

Gold reserve to be kept.

Destruction of unfit notes.

Gold-redemption fund to be kept in Treasury.

The Federal Reserve Board shall require each Federal reserve bank to maintain on deposit in the Treasury of the United States a sum in gold sufficient in the judgment of the Secretary of the Treasury for the redemption of the Federal reserve notes issued to such bank, but in no event less than five per centum; but such deposit of gold shall be counted and included as part of the forty per centum reserve hereinbefore required. The board shall have the right, acting through the Federal reserve agent, to grant in whole or in part or to reject entirely the application of any Federal reserve bank for Federal reserve notes; but to the extent that such application may be granted the Federal Reserve Board shall, through its local Federal reserve agent, supply Federal reserve notes to the bank so applying, and such bank shall be charged with the amount of such notes and shall pay such rate of interest on said amount as may be established by the Federal Reserve Board, and the amount of such Federal reserve notes so issued to any such bank shall, upon delivery, together with such notes of such Federal reserve bank as may be issued under section eighteen of this Act upon security of

Reserve Board to control note issue.

Interest to be paid.

Lien created.

Post, p. 268.

United States two per centum Government bonds, become a first and paramount lien on all the assets of such bank.

Reduction of reserve liability.

Any Federal reserve bank may at any time reduce its liability for outstanding Federal reserve notes by depositing, with the Federal reserve agent, its Federal reserve notes, gold, gold certificates, or lawful money of the United States. Federal reserve notes so deposited shall not be reissued, except upon compliance with the conditions of an original issue.

Reserve agent's duties.

The Federal reserve agent shall hold such gold, gold certificates, or lawful money available exclusively for exchange for the outstanding Federal reserve notes when offered by the reserve bank of which he is a director. Upon the request of the Secretary of the Treasury the Federal Reserve Board shall require the Federal reserve agent to transmit so much of said gold to the Treasury of the United States as may be required for the exclusive purpose of the redemption of such notes.

Transfer of gold to the Treasury.

Exchange of collateral.

Any Federal reserve bank may at its discretion withdraw collateral deposited with the local Federal reserve agent for the protection of its Federal reserve notes deposited with it and shall at the same time substitute therefor other like collateral of equal amount with the approval of the Federal reserve agent under regulations to be prescribed by the Federal Reserve Board.

Provisions for printing, etc., notes.

In order to furnish suitable notes for circulation as Federal reserve notes, the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved in the best manner to guard against counterfeits and fraudulent alterations, and shall have printed therefrom and numbered such quantities of such notes of the denominations of $5, $10, $20, $50, $100, as may be required to supply the Federal reserve banks. Such notes shall be in form and tenor as directed by the Secretary of the Treasury under the provisions of this Act and shall bear the distinctive numbers of the several Federal reserve banks through which they are issued.

Custody of notes before issue.

When such notes have been prepared, they shall be deposited in the Treasury, or in the subtreasury or mint of the United States nearest the place of business of each Federal reserve bank and shall be held for the use of such bank subject to the order of the Comptroller of the Currency for their delivery, as provided by this Act.

Custody of plates and dies.

The plates and dies to be procured by the Comptroller of the Currency for the printing of such circulating notes shall remain under his control and direction, and the expenses necessarily incurred in executing the laws relating to the procuring of such notes, and all other expenses incidental to their issue and retirement, shall be paid by the Federal reserve banks, and the Federal Reserve Board shall include in its estimate of expenses levied against the Federal reserve banks a sufficient amount to cover the expenses herein provided for.

Annual examination of plates, etc.
R.S. sec. 5174, p. 1009.

The examination of plates, dies, bed pieces, and so forth, and regulations relating to such examination of plates, dies, and so forth, of national-bank notes provided for in section fifty-one hundred and seventy-four Revised Statutes, is hereby extended to include notes herein provided for.

Payment for engraving, printing, paper, etc.
Vol. 35, p. 547.

Any appropriation heretofore made out of the general funds of the Treasury for engraving plates and dies, the purchase of distinctive paper, or to cover any other expense in connection with the printing of national-bank notes or notes provided for by the Act of May thirtieth, nineteen hundred and eight, and any distinctive paper that may be on hand at the time of the passage of this Act may be used in the discretion of the Secretary for the purposes of this Act, and should the appropriations heretofore made be insufficient to meet the requirements of this Act in addition to circulating notes provided for by existing law, the Secretary is hereby authorized to

Additional appropriations.

Proviso. Reimbursement.

use so much of any funds in the Treasury not otherwise appropriated for the purpose of furnishing the notes aforesaid: *Provided, however*, That nothing in this section contained shall be construed as exempting national banks or Federal reserve banks from their liability to reimburse the United States for any expenses incurred in printing and issuing circulating notes.

Reserve banks. Deposits, collections, etc., authorized.

Every Federal reserve bank shall receive on deposit at par from member banks or from Federal reserve banks checks and drafts drawn upon any of its depositors, and when remitted by a Federal reserve bank, checks and drafts drawn by any depositor in any other Federal reserve bank or member bank upon funds to the credit of said depositor in said reserve bank or member bank. Nothing herein contained shall be construed as prohibiting a member bank from charging its actual expense incurred in collecting and remitting funds, or for exchange sold to its patrons. The Federal Reserve Board shall, by rule, fix the charges to be collected by the member banks from its patrons whose checks are cleared through the Federal reserve bank and the charge which may be imposed for the service of clearing or collection rendered by the Federal reserve bank.

Charges for collections by member banks.

Clearing house provisions.

The Federal Reserve Board shall make and promulgate from time to time regulations governing the transfer of funds and charges therefor among Federal reserve banks and their branches, and may at its discretion exercise the functions of a clearing house for such Federal reserve banks, or may designate a Federal reserve bank to exercise such functions, and may also require each such bank to exercise the functions of a clearing house for its member banks.

National banks. Deposit of registered bonds by, repealed. R. S., sec. 5159, p. 987, amended. Vol. 18, p. 124; Vol. 22, p. 164.

SEC. 17. So much of the provisions of section fifty-one hundred and fifty-nine of the Revised Statutes of the United States, and section four of the Act of June twentieth, eighteen hundred and seventy-four, and section eight of the Act of July twelfth, eighteen hundred and eighty-two, and of any other provisions of existing statutes as require that before any national banking associations shall be authorized to commence banking business it shall transfer and deliver to the Treasurer of the United States a stated amount of United States registered bonds is hereby repealed.

Refunding bonds.

REFUNDING BONDS.

Member banks may sell bonds to retire notes.

SEC. 18. After two years from the passage of this Act, and at any time during a period of twenty years thereafter, any member bank desiring to retire the whole or any part of its circulating notes, may file with the Treasurer of the United States an application to sell for its account, at par and accrued interest, United States bonds securing circulation to be retired.

Purchase by reserve banks.

The Treasurer shall, at the end of each quarterly period, furnish the Federal Reserve Board with a list of such applications, and the Federal Reserve Board may, in its discretion, require the Federal reserve banks to purchase such bonds from the banks whose applications have been filed with the Treasurer at least ten days before the end of any quarterly period at which the Federal Reserve Board may direct the purchase to be made: *Provided*, That Federal reserve banks shall not be permitted to purchase an amount to exceed $25,000,000 of such bonds in any one year, and which amount shall include bonds acquired under section four of this Act by the Federal reserve bank.

Provisos. Annual limit.

Ante, p. 254.

Allotment.

Provided further, That the Federal Reserve Board shall allot to each Federal reserve bank such proportion of such bonds as the capital and surplus of such bank shall bear to the aggregate capital and surplus of all the Federal reserve banks.

Assignment, etc.

Upon notice from the Treasurer of the amount of bonds so sold for its account, each member bank shall duly assign and transfer, in

writing, such bonds to the Federal reserve bank purchasing the same, and such Federal reserve bank shall, thereupon, deposit lawful money with the Treasurer of the United States for the purchase price of such bonds, and the Treasurer shall pay to the member bank selling such bonds any balance due after deducting a sufficient sum to redeem its outstanding notes secured by such bonds, which notes shall be canceled and permanently retired when redeemed.

Cancellation of outstanding notes, etc.

The Federal reserve banks purchasing such bonds shall be permitted to take out an amount of circulating notes equal to the par value of such bonds.

Issue of Federal reserve notes.

Upon the deposit with the Treasurer of the United States of bonds so purchased, or any bonds with the circulating privilege acquired under section four of this Act, any Federal reserve bank making such deposit in the manner provided by existing law, shall be entitled to receive from the Comptroller of the Currency circulating notes in blank, registered and countersigned as provided by law, equal in amount to the par value of the bonds so deposited. Such notes shall be the obligations of the Federal reserve bank procuring the same, and shall be in form prescribed by the Secretary of the Treasury, and to the same tenor and effect as national-bank notes now provided by law. They shall be issued and redeemed under the same terms and conditions as national-bank notes except that they shall not be limited to the amount of the capital stock of the Federal reserve bank issuing them.

Delivery of notes on deposit of bonds.

Ante, p. 254.

Form and character of notes.

Upon application of any Federal reserve bank, approved by the Federal Reserve Board, the Secretary of the Treasury may issue, in exchange for United States two per centum gold bonds bearing the circulation privilege, but against which no circulation is outstanding, one-year gold notes of the United States without the circulation privilege, to an amount not to exceed one-half of the two per centum bonds so tendered for exchange, and thirty-year three per centum gold bonds without the circulation privilege for the remainder of the two per centum bonds so tendered: *Provided*, That at the time of such exchange the Federal reserve bank obtaining such one-year gold notes shall enter into an obligation with the Secretary of the Treasury binding itself to purchase from the United States for gold at the maturity of such one-year notes, an amount equal to those delivered in exchange for such bonds, if so requested by the Secretary, and at each maturity of one-year notes so purchased by such Federal reserve bank, to purchase from the United States such an amount of one-year notes as the Secretary may tender to such bank, not to exceed the amount issued to such bank in the first instance, in exchange for the two per centum United States gold bonds; said obligation to purchase at maturity such notes shall continue in force for a period not to exceed thirty years.

Exchange of two per cent bonds, for gold notes and bonds.

Proviso.
Gold purchases, etc.

For the purpose of making the exchange herein provided for, the Secretary of the Treasury is authorized to issue at par Treasury notes in coupon or registered form as he may prescribe in denominations of one hundred dollars, or any multiple thereof, bearing interest at the rate of three per centum per annum, payable quarterly, such Treasury notes to be payable not more than one year from the date of their issue in gold coin of the present standard value, and to be exempt as to principal and interest from the payment of all taxes and duties of the United States except as provided by this Act, as well as from taxes in any form by or under State, municipal, or local authorities. And for the same purpose, the Secretary is authorized and empowered to issue United States gold bonds at par, bearing three per centum interest payable thirty years from date of issue, such bonds to be of the same general tenor and effect and to be issued under the same general terms and conditions as the United States three per centum bonds without the circulation privilege now issued and outstanding.

Authority for interest bearing Treasury notes.

Issue of three per cent bonds.

Exchanges of gold notes for bonds.

Upon application of any Federal reserve bank, approved by the Federal Reserve Board, the Secretary may issue at par such three per centum bonds in exchange for the one-year gold notes herein provided for.

Bank reserves.

BANK RESERVES.

Demand and time deposits construed.

SEC. 19. Demand deposits within the meaning of this Act shall comprise all deposits payable within thirty days, and time deposits shall comprise all deposits payable after thirty days, and all savings accounts and certificates of deposit which are subject to not less than thirty days' notice before payment.

Reserves required for deposits.

When the Secretary of the Treasury shall have officially announced, in such manner as he may elect, the establishment of a Federal reserve bank in any district, every subscribing member bank shall establish and maintain reserves as follows:

Banks not in reserve or central reserve cities.

(a) A bank not in a reserve or central reserve city as now or hereafter defined shall hold and maintain reserves equal to twelve per centum of the aggregate amount of its demand deposits and five per centum of its time deposits, as follows:

In its vaults for a period of thirty-six months after said date five-twelfths thereof and permanently thereafter four-twelfths.

In the Federal reserve bank of its district, for a period of twelve months after said date, two-twelfths, and for each succeeding six months an additional one-twelfth, until five-twelfths have been so deposited, which shall be the amount permanently required.

For a period of thirty-six months after said date the balance of the reserves may be held in its own vaults, or in the Federal reserve bank, or in national banks in reserve or central reserve cities as now defined by law.

After said thirty-six months' period said reserves, other than those hereinbefore required to be held in the vaults of the member bank and in the Federal reserve bank, shall be held in the vaults of the member bank or in the Federal reserve bank, or in both, at the option of the member bank.

In reserve cities.

(b) A bank in a reserve city, as now or hereafter defined, shall hold and maintain reserves equal to fifteen per centum of the aggregate amount of its demand deposits and five per centum of its time deposits, as follows:

In its vaults for a period of thirty-six months after said date six-fifteenths thereof, and permanently thereafter five-fifteenths.

In the Federal reserve bank of its district for a period of twelve months after the date aforesaid at least three-fifteenths, and for each succeeding six months an additional one-fifteenth, until six-fifteenths have been so deposited, which shall be the amount permanently required.

For a period of thirty-six months after said date the balance of the reserves may be held in its own vaults, or in the Federal reserve bank, or in national banks in reserve or central reserve cities as now defined by law.

Post, p. 601.

After said thirty-six months' period all of said reserves, except those hereinbefore required to be held permanently in the vaults of the member bank and in the Federal reserve bank, shall be held in its vaults or in the Federal reserve bank, or in both, at the option of the member bank.

In central reserve cities.

(c) A bank in a central reserve city, as now or hereafter defined, shall hold and maintain a reserve equal to eighteen per centum of the aggregate amount of its demand deposits and five per centum of its time deposits, as follows:

In its vaults six-eighteenths thereof.

In the Federal reserve bank seven-eighteenths.

The balance of said reserves shall be held in its own vaults or in the Federal reserve bank, at its option.

Acceptance of eligible paper as part of reserve.
Post, p. 691.

Any Federal reserve bank may receive from the member banks as reserves, not exceeding one-half of each installment, eligible paper as described in section fourteen properly indorsed and acceptable to the said reserve bank.

Reserves by State banks or trust companies.
Post, p. 691.

If a State bank or trust company is required by the law of its State to keep its reserves either in its own vaults or with another State bank or trust company, such reserve deposits so kept in such State bank or trust company shall be construed, within the meaning of this section, as if they were reserve deposits in a national bank in a reserve or central reserve city for a period of three years after the Secretary of the Treasury shall have officially announced the establishment of a Federal reserve bank in the district in which such State bank or trust company is situate. Except as thus provided, no member bank shall keep on deposit with any nonmember bank a sum in excess of ten per centum of its own paid-up capital and surplus. No member bank shall act as the medium or agent of a nonmember bank in applying for or receiving discounts from a Federal reserve bank under the provisions of this Act except by permission of the Federal Reserve Board.

Restriction on deposits, etc., by member banks.

Use of reserves.

The reserve carried by a member bank with a Federal reserve bank may, under the regulations and subject to such penalties as may be prescribed by the Federal Reserve Board, be checked against and withdrawn by such member bank for the purpose of meeting existing liabilities: *Provided, however*, That no bank shall at any time make new loans or shall pay any dividends unless and until the total reserve required by law is fully restored.

Proviso.
Restriction.

Basis of reserves.
Post, p. 692.

In estimating the reserves required by this Act, the net balance of amounts due to and from other banks shall be taken as the basis for ascertaining the deposits against which reserves shall be determined. Balances in reserve banks due to member banks shall, to the extent herein provided, be counted as reserves.

Alaskan and insular banks.

National banks located in Alaska or outside the continental United States may remain nonmember banks, and shall in that event maintain reserves and comply with all the conditions now provided by law regulating them; or said banks, except in the Philippine Islands, may, with the consent of the Reserve Board, become member banks of any one of the reserve districts, and shall, in that event, take stock, maintain reserves, and be subject to all the other provisions of this Act.

Banks in Philippine Islands.

National bank redemption funds not to be part of reserve.
Vol. 18, p. 123.

SEC. 20. So much of sections two and three of the Act of June twentieth, eighteen hundred and seventy-four, entitled "An Act fixing the amount of United States notes, providing for a redistribution of the national-bank currency, and for other purposes," as provides that the fund deposited by any national banking association with the Treasurer of the United States for the redemption of its notes shall be counted as a part of its lawful reserve as provided in the Act aforesaid, is hereby repealed. And from and after the passage of this Act such fund of five per centum shall in no case be counted by any national banking association as a part of its lawful reserve.

BANK EXAMINATIONS.

Bank examinations.

Examiners.
R. S., sec. 5240, p. 1013, amended.

SEC. 21. Section fifty-two hundred and forty, United States Revised Statutes, is amended to read as follows:

Appointment, etc.

The Comptroller of the Currency, with the approval of the Secretary of the Treasury, shall appoint examiners who shall examine every member bank at least twice in each calendar year and oftener if considered necessary: *Provided, however*, That the Federal Reserve Board may authorize examination by the State authorities to be

Proviso.
Acceptance of State examinations.

accepted in the case of State banks and trust companies and may at any time direct the holding of a special examination of State banks or trust companies that are stockholders in any Federal reserve bank. The examiner making the examination of any national bank, or of any other member bank, shall have power to make a thorough examination of all the affairs of the bank and in doing so he shall have power to administer oaths and to examine any of the officers and agents thereof under oath and shall make a full and detailed report of the condition of said bank to the Comptroller of the Currency.

Authority, etc., of examiners.

Salaries and expenses.

The Federal Reserve Board, upon the recommendation of the Comptroller of the Currency, shall fix the salaries of all bank examiners and make report thereof to Congress. The expense of the examinations herein provided for shall be assessed by the Comptroller of the Currency upon the banks examined in proportion to assets or resources held by the banks upon the dates of examination of the various banks.

Special examinations.

In addition to the examinations made and conducted by the Comptroller of the Currency, every Federal reserve bank may, with the approval of the Federal reserve agent or the Federal Reserve Board, provide for special examination of member banks within its district. The expense of such examinations shall be borne by the bank examined. Such examinations shall be so conducted as to inform the Federal reserve bank of the condition of its member banks and of the lines of credit which are being extended by them. Every Federal reserve bank shall at all times furnish to the Federal Reserve Board such information as may be demanded concerning the condition of any member bank within the district of the said Federal reserve bank.

Limit of other examinations.

No bank shall be subject to any visitatorial powers other than such as are authorized by law, or vested in the courts of justice or such as shall be or shall have been exercised or directed by Congress, or by either House thereof or by any committee of Congress or of either House duly authorized.

Examinations of reserve banks.

The Federal Reserve Board shall, at least once each year, order an examination of each Federal reserve bank, and upon joint application of ten member banks the Federal Reserve Board shall order a special examination and report of the condition of any Federal reserve bank.

Loans, etc., to examiners forbidden.

Punishment for violating by bank official.

Punishment for acceptance by examiner.

SEC. 22. No member bank or any officer, director, or employee thereof shall hereafter make any loan or grant any gratuity to any bank examiner. Any bank officer, director, or employee violating this provision shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not more than $5,000, or both; and may be fined a further sum equal to the money so loaned or gratuity given. Any examiner accepting a loan or gratuity from any bank examined by him or from an officer, director, or employee thereof shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not more than $5,000, or both; and may be fined a further sum equal to the money so loaned or gratuity given; and shall forever thereafter be disqualified from holding office as a national-bank examiner. No national-bank examiner shall perform any other service for compensation while holding such office for any bank or officer, director, or employee thereof.

Restriction on services by examiners.

Receiving fees, etc., by bank officials restricted.

Other than the usual salary or director's fee paid to any officer, director, or employee of a member bank and other than a reasonable fee paid by said bank to such officer, director, or employee for services rendered to such bank, no officer, director, employee, or attorney of a member bank shall be a beneficiary of or receive, directly or indirectly, any fee, commission, gift, or other consideration for or in connection with any transaction or business of the bank.

Unauthorized disclosures by examiners forbidden.

No examiner, public or private, shall disclose the names of borrowers or the collateral for

loans of a member bank to other than the proper officers of such bank without first having obtained the express permission in writing from the Comptroller of the Currency, or from the board of directors of such bank, except when ordered to do so by a court of competent jurisdiction, or by direction of the Congress of the United States, or of either House thereof, or any committee of Congress or of either House duly authorized. Any person violating any provision of this section shall be punished by a fine of not exceeding $5,000 or by imprisonment not exceeding one year, or both.

Punishment for violations.

Except as provided in existing laws, this provision shall not take effect until sixty days after the passage of this Act.

In effect in 60 days.

SEC. 23. The stockholders of every national banking association shall be held individually responsible for all contracts, debts, and engagements of such association, each to the amount of his stock therein, at the par value thereof in addition to the amount invested in such stock. The stockholders in any national banking association who shall have transferred their shares or registered the transfer thereof within sixty days next before the date of the failure of such association to meet its obligations, or with knowledge of such impending failure, shall be liable to the same extent as if they had made no such transfer, to the extent that the subsequent transferee fails to meet such liability; but this provision shall not be construed to affect in any way any recourse which such shareholders might otherwise have against those in whose names such shares are registered at the time of such failure.

Individual liability of national bank stockholders.
R. S., sec. 5151, p. 995, amended.

Transferred stock.

LOANS ON FARM LANDS.

Loans on farm lands.

SEC. 24. Any national banking association not situated in a central reserve city may make loans secured by improved and unencumbered farm land, situated within its Federal reserve district, but no such loan shall be made for a longer time than five years, nor for an amount exceeding fifty per centum of the actual value of the property offered as security. Any such bank may make such loans in an aggregate sum equal to twenty-five per centum of its capital and surplus or to one-third of its time deposits and such banks may continue hereafter as heretofore to receive time deposits and to pay interest on the same.

National banks not in central reserve cities may make.

Limit.

Permissible amounts.

The Federal Reserve Board shall have power from time to time to add to the list of cities in which national banks shall not be permitted to make loans secured upon real estate in the manner described in this section.

Extension of restrictions.

FOREIGN BRANCHES.

Foreign branches.

SEC. 25. Any national banking association possessing a capital and surplus of $1,000,000 or more may file application with the Federal Reserve Board, upon such conditions and under such regulations as may be prescribed by the said board, for the purpose of securing authority to establish branches in foreign countries or dependencies of the United States for the furtherance of the foreign commerce of the United States, and to act, if required to do so, as fiscal agents of the United States. Such application shall specify, in addition to the name and capital of the banking association filing it, the place or places where the banking operations proposed are to be carried on, and the amount of capital set aside for the conduct of its foreign business. The Federal Reserve Board shall have power to approve or to reject such application if, in its judgment, the amount of capital proposed to be set aside for the conduct of foreign business is inadequate, or if for other reasons the granting of such application is deemed inexpedient.

National banks may establish.

Applications.

Approval of Reserve Board.

Information to be furnished, etc.

Every national banking association which shall receive authority to establish foreign branches shall be required at all times to furnish information concerning the condition of such branches to the Comptroller of the Currency upon demand, and the Federal Reserve Board may order special examinations of the said foreign branches at such time or times as it may deem best.

Independent accounts to be kept.

Every such national banking association shall conduct the accounts of each foreign branch independently of the accounts of other foreign branches established by it and of its home office, and shall at the end of each fiscal period transfer to its general ledger the profit or loss accruing at each branch as a separate item.

Inconsistent laws repealed.

SEC. 26. All provisions of law inconsistent with or superseded by any of the provisions of this Act are to that extent and to that extent only hereby repealed: *Provided*, Nothing in this Act contained shall be construed to repeal the parity provision or provisions contained in an Act approved March fourteenth, nineteen hundred, entitled "An Act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," and the Secretary of the Treasury may for the purpose of maintaining such parity and to strengthen the gold reserve, borrow gold on the security of United States bonds authorized by section two of the Act last referred to or for one-year gold notes bearing interest at a rate of not to exceed three per centum per annum, or sell the same if necessary to obtain gold. When the funds of the Treasury on hand justify, he may purchase and retire such outstanding bonds and notes.

Proviso.
Parity of United States money maintained.
Vol. 31, p. 45.

Securing gold by United States.

Retiring bonds and notes.

National currency associations.
Provisions for, extended to June 30, 1915.
Vol. 35, p. 546.
Post, p. 562.

SEC. 27. The provisions of the Act of May thirtieth, nineteen hundred and eight, authorizing national currency associations, the issue of additional national-bank circulation, and creating a National Monetary Commission, which expires by limitation under the terms of such Act on the thirtieth day of June, nineteen hundred and fourteen, are hereby extended to June thirtieth, nineteen hundred and fifteen, and sections fifty-one hundred and fifty-three, fifty-one hundred and seventy-two, fifty-one hundred and ninety-one, and fifty-two hundred and fourteen of the Revised Statutes of the United States, which were amended by the Act of May thirtieth, nineteen hundred and eight, are hereby reenacted to read as such sections read prior to May thirtieth, nineteen hundred and eight, subject to such amendments or modifications as are prescribed in this Act: *Provided, however*, That section nine of the Act first referred to in this section is hereby amended so as to change the tax rates fixed in said Act by making the portion applicable thereto read as follows:

R. S., secs. 5153, 5172, 5191, 5214, pp. 998, 1000, 1004, 1006, amended.
Former provisions reenacted.

Proviso.
Tax on circulation.
Vol. 35, p. 550, amended.

Tax on notes secured otherwise than by United States bonds, reduced.
R. S., sec. 5214, p. 1006, amended.

National banking associations having circulating notes secured otherwise than by bonds of the United States, shall pay for the first three months a tax at the rate of three per centum per annum upon the average amount of such of their notes in circulation as are based upon the deposit of such securities, and afterwards an additional tax rate of one-half of one per centum per annum for each month until a tax of six per centum per annum is reached, and thereafter such tax of six per centum per annum upon the average amount of such notes.

Reduction of capital of national banks.
R. S., sec. 5143, p. 994, amended.

SEC. 28. Section fifty-one hundred and forty-three of the Revised Statutes is hereby amended and reenacted to read as follows: Any association formed under this title may, by the vote of shareholders owning two-thirds of its capital stock, reduce its capital to any sum not below the amount required by this title to authorize the formation of associations; but no such reduction shall be allowable which will reduce the capital of the association below the amount required for its outstanding circulation, nor shall any reduction be made until the amount of the proposed reduction has been reported to the Comptroller of the Currency and such reduction has been approved by the

Approval by Federal Reserve Board, etc., added.

said Comptroller of the Currency and by the Federal Reserve Board, or by the organization committee pending the organization of the Federal Reserve Board.

Invalidity of any clause, etc., not to affect remainder of Act.

SEC. 29. If any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Amendment, etc.

SEC. 30. The right to amend, alter, or repeal this Act is hereby expressly reserved.

Approved, December 23, 1913.

December 23, 1913.
[H. R. 11068.]
[Public, No. 44.]

CHAP. 7.—An Act To provide for expenses of representatives of the United States at the International Maritime Conference for Safety of Life at Sea.

International Maritime Conference.
Additional appropriation for expenses of delegates.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the expenses of the representatives of the United States at the International Maritime Conference for Safety of Life at Sea, now in session at London, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 in addition to the appropriation of $10,000 made in the joint resolution approved June twenty-eighth, nineteen hundred and twelve, entitled "Joint resolution proposing an international maritime conference."

Vol. 37, p. 682.

Approved, December 23, 1913.

January 15, 1914.
[H. R. 8162.]
[Public, No. 45.]

CHAP. 8.—An Act To authorize the construction, maintenance, and operation of a bridge across the Bayou Bartholomew, at or near Wilmot, Arkansas.

Bayou Bartholomew.
Ashley County, Ark., may bridge, at Wilmot.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Ashley, a corporation organized and existing under the laws of the State of Arkansas, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Bayou Bartholomew, at or near Wilmot, Arkansas, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

Vol. 34, p. 84.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, January 15, 1914.

January 17, 1914.
[H. R. 1966.]
[Public, No. 46.]

CHAP. 9.—An Act To amend an Act entitled "An Act to prohibit the importation and use of opium for other than medicinal purposes," approved February ninth, nineteen hundred and nine.

Opium.
Vol. 35, p. 614, amended.
Post, p. 1912.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act entitled "An Act to prohibit the importation and use of opium for other than medicinal purposes," approved February ninth, nineteen hundred and nine, is hereby amended so as to read as follows:

Importation prohibited.

"That after the first day of April, nineteen hundred and nine, it shall be unlawful to import into the United States opium in any form or any preparation or derivative thereof: *Provided*, That opium and

Proviso.

No Access

Coercive persuasion (brainwashing), religious cults, and deprogramming

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Abstract

Psychiatric interviews and psychological testing were conducted with 50 members of former members of a variety of religious cults who contacted the authors about the issue of deprogramming. The subjects were divided into four groups: cult members who feared deprogramming, those who had returned to the cult after deprogramming, ex-cult members who had left after deprogramming, and those who had left without deprogramming. There were significant differences between these groups on length of time in the cult, perception of and resistance toward the deprogramming experience, status of parental marriage, and who became a deprogrammer. No evidence of insanity or mental illness in the legal sense was found.

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